

## STATE OF MINNESOTA

## EIGHTY-NINTH SESSION — 2016

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 ONE HUNDRED FIRST DAY

SAINT PAUL, MINNESOTA, TUESDAY, MAY 17, 2016

The House of Representatives convened at 9:00 a.m. and was called to order by Kurt Daudt, Speaker of the House.

Prayer was offered by Rabbi Marcia Zimmerman, Temple Israel, Minneapolis, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Albright	Dehn, R.	Hertaus	Lohmer	Newton	Selcer
Anderson, C.	Dettmer	Hilstrom	Loon	Nornes	Simonson
Anderson, M.	Drazkowski	Hoppe	Loonan	Norton	Slocum
Anderson, P.	Ecklund	Hornstein	Lucero	O'Driscoll	Smith
Anderson, S.	Erhardt	Hortman	Lueck	O'Neill	Swedzinski
Anzelc	Erickson	Howe	Mack	Pelowski	Theis
Atkins	Fabian	Isaacson	Mahoney	Peppin	Thissen
Backer	Fenton	Johnson, B.	Mariani	Persell	Torkelson
Baker	Fischer	Johnson, C.	Marquart	Petersburg	Uglen
Barrett	Flanagan	Johnson, S.	Masin	Peterson	Urdahl
Bennett	Franson	Kahn	McDonald	Pierson	Vogel
Bernardy	Freiberg	Kelly	McNamara	Pinto	Wagenius
Bly	Garofalo	Kiel	Melin	Poppe	Ward
Carlson	Green	Knoblach	Metsa	Pugh	Whelan
Christensen	Gruenhagen	Koznick	Miller	Quam	Wills
Clark	Gunther	Kresha	Moran	Rarick	Yarusso
Considine	Hackbarth	Laine	Mullery	Rosenthal	Youakim
Cornish	Halverson	Lesch	Murphy, E.	Runbeck	Zerwas
Daniels	Hamilton	Liebling	Murphy, M.	Sanders	Spk. Daudt
Davids	Hansen	Lien	Nash	Schoen	
Davnie	Hausman	Lillie	Nelson	Schultz	
Dean, M.	Heintzeman	Loeffler	Newberger	Scott	

A quorum was present.

Hancock, Schomacker and Sundin were excused.

Applebaum was excused until 1:20 p.m. Allen was excused until 1:25 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.

**REPORTS OF CHIEF CLERK**

S. F. No. 2474 and H. F. No. 3170, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

Pierson moved that S. F. No. 2474 be substituted for H. F. No. 3170 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2665 and H. F. No. 2991, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

O'Driscoll moved that S. F. No. 2665 be substituted for H. F. No. 2991 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2757 and H. F. No. 2843, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Hackbarth moved that S. F. No. 2757 be substituted for H. F. No. 2843 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2772 and H. F. No. 3019, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Laine moved that S. F. No. 2772 be substituted for H. F. No. 3019 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2985 and H. F. No. 3549, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

Sanders moved that S. F. No. 2985 be substituted for H. F. No. 3549 and that the House File be indefinitely postponed. The motion prevailed.

**REPORTS OF STANDING COMMITTEES AND DIVISIONS**

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 621, A bill for an act relating to capital investment; modifying and correcting appropriations of general obligation bond proceeds; providing for conveyance of state bond-financed property; amending Laws 2014, chapter 294, article 1, sections 15, subdivision 2; 18, subdivision 4; 21, subdivisions 10, 12, 13, 16; Laws 2014, chapter 295, section 10, subdivision 12.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **HIGHER EDUCATION; HEAPR.**

Subdivision 1. **Appropriation.** (a) \$0 is appropriated from the bond proceeds fund to the Board of Regents of the University of Minnesota to be spent in accordance with Minnesota Statutes, section 135A.046.

(b) \$0 is appropriated from the bond proceeds fund to the Board of Trustees of the Minnesota State Colleges and Universities to be spent in accordance with Minnesota Statutes, section 135A.046.

Subd. 2. **Bond sale.** To provide the money appropriated in this section from the bond proceeds fund, the commissioner of management and budget shall sell and issue bonds of the state in an amount up to \$0 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.

**EFFECTIVE DATE.** This section is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to capital investment; providing for higher education asset preservation and repair."

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 963, A bill for an act relating to utilities; establishing requirements relating to crossing railroad rights-of-way by utilities; amending Minnesota Statutes 2014, section 216B.62, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 237.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 216B.62, is amended by adding a subdivision to read:

Subd. 5b. **Assessments for certain right-of-way proceedings.** The commission and department may charge a railroad, as defined in section 237.045, subdivision 1, paragraph (e), and a utility as defined in section 237.045, subdivision 1, paragraph (f), for the railroad and utility's proportionate share of expenses incurred by the commission and department in the review and disposition of disputes contained in petitions filed under section 237.045. A railroad or utility that objects to an assessment of the commission or department made under this subdivision has the same right to appeal the assessment under subdivision 4 as does a public utility.

Sec. 2. **[237.045] RAILROAD RIGHTS-OF-WAY; CROSSING OR PARALLELING BY UTILITIES.**

Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have the meanings given them.

(b) "Crossing" means a utility facility constructed over, under, or across a railroad right-of-way. The term does not include longitudinal occupancy of railroad right-of-way.

(c) "Facility" or "utility facility" means any item of personal property placed over, across, or underground for use in connection with the storage or conveyance of:

- (1) water;
- (2) sewage;
- (3) electronic, telephone, or telegraphic communications;
- (4) fiber optics;
- (5) cable television;
- (6) electric energy;
- (7) oil;
- (8) natural gas; or
- (9) hazardous liquids.

Facility includes, but is not limited to, pipes, sewers, conduits, cables, valves, lines, wires, manholes, and attachments.

(d) "Parallel" or "paralleling" means a utility facility that runs adjacent to and alongside the lines of a railroad for no more than one mile, or another distance agreed to by the parties, after which the utility facility crosses the railroad lines, terminates, or exits the railroad right-of-way.

(e) "Railroad" means any association, corporation, or other entity engaged in operating a common carrier by rail, or its agents or assigns, including any entity responsible for the management of crossings or collection of crossing fees.

(f) "Utility" means cooperative electric association, electric utility, public utility, transmission company, gas utility, municipal utility, municipal power agency, municipality, joint action agency, pipeline company, rural water system, or telephone, telegraph, telecommunications, cable, or fiber optic carrier. Utility includes contractors or agents.

**Subd. 2. Application.** (a) This section applies to:

(1) any crossing in existence before the effective date of this section if an agreement concerning the crossing has expired or has been terminated. In such instance, if the collective amount that equals or exceeds the standard crossing fee under subdivision 6 has been paid to the railroad during the existence of the crossing, no additional fee is required; and

(2) any crossing commenced on or after the effective date of this section.

(b) This section does not apply to a crossing or paralleling of a large energy facility, as defined in section 216B.2421, subdivision 2, regardless of length.

**Subd. 3. Right-of-way crossing; application for permission.** (a) Any utility that intends to place a facility across or upon a railroad right-of-way shall request prior permission from the railroad.

(b) The request must be in the form of a completed crossing application, including an engineering design showing the location of the proposed crossing and the railroad's property, tracks, and wires that the utility will cross. The engineering design must conform with guidelines published in the most recent edition of the (1) National Electric Safety Code, or (2) Manual for Railway Engineering of the American Railway Engineering and Maintenance-of-Way Association. The utility must submit the crossing application on a form provided or approved by the railroad, if available.

(c) The application must be accompanied by the standard crossing fee specified in subdivision 6 and evidence of insurance as required in subdivision 7. The utility must send the application to the railroad by certified mail, with return receipt requested.

(d) Within 15 calendar days of receipt of an application that is not complete, the railroad must inform the applicant regarding any additional necessary information and submittals.

Subd. 4. **Inductive interference study.** (a) A railroad may require an electric utility to conduct an inductive interference study if:

(1) the facility is for an electric energy transmission line of at least 125 kilovolts; and

(2) in accordance with guidelines in the National Electric Safety Code and the Manual for Railway Engineering of the American Railway Engineering and Maintenance-of-Way Association, the railroad reasonably determines that the proposed facility poses a material possibility of creating induction issues or interference with railroad property.

(b) The utility must arrange and pay for the study, perform and pay for any costs of modifications to the proposed facility, and pay for any costs of modifications to railroad property that are necessary to ensure safe and reliable railroad operations. The study must be performed by a qualified engineer approved by the railroad.

(c) A utility facility for which an inductive interference study has been performed under this subdivision may not be energized until at least 30 calendar days after the railroad receives notice from the utility that the facility is ready to be energized. Within 30 days of receiving notice that the facility is ready to be energized, the railroad shall conduct any appropriate tests to ensure that there will not be any interference with safe operation of the railroad following energization.

Subd. 5. **Right-of-way crossing; construction.** Beginning 35 calendar days after the receipt by the railroad of a completed crossing application, crossing fee, and certificate of insurance, the utility may commence the construction of the crossing unless the railroad notifies the utility in writing that the proposed crossing or paralleling is a serious threat to the safe operations of the railroad or to the current use of the railroad right-of-way.

Subd. 6. **Standard crossing fee.** (a) Unless otherwise agreed by the parties or determined under section 237.04, a utility that crosses a railroad right-of-way, other than a crossing within a public right-of-way, must pay the railroad a onetime standard crossing fee of \$1,250, adjusted as provided in paragraph (e), for each crossing. Except as otherwise provided in this subdivision, the standard crossing fee is paid in lieu of any license, permit, application, processing fee, or any other fee or charge to reimburse the railroad for direct expenses incurred by the railroad as a result of the crossing. No other fee or charge may be assessed to the utility by the railroad.

(b) In addition to the standard crossing fee, the utility shall also reimburse the railroad for any reasonable and necessary flagging expense associated with a crossing, based on the railroad traffic at the crossing.

(c) No crossing fee is required if the crossing is located within a public right-of-way.

(d) The placement of a single conduit and its content is a single facility. No additional fees are payable based on the individual fibers, wires, lines, or other items contained within the conduit.

(e) Annually each May 1, the standard crossing fee under paragraph (a) must be adjusted based on the percentage change in the annual average producer price index for the preceding year compared to the year prior to the preceding year. Each adjustment is effective for applications submitted on or after June 1. The producer price index is final demand, finished consumer energy goods, as prepared by the Bureau of Labor Statistics of the United States Department of Labor.

**Subd. 7. Certificate of insurance; coverage.** (a) The certificate of insurance or coverage submitted by:

(1) a municipal utility or municipality must include commercial general liability insurance or an equivalent form with a limit of at least \$1,000,000 for each occurrence and an aggregate of at least \$2,000,000;

(2) a utility providing natural gas service must include commercial general liability insurance with a combined single limit of at least \$5,000,000 for each occurrence and an aggregate limit of at least \$10,000,000; or

(3) a utility not specified in clauses (1) and (2) must include commercial general liability insurance with a combined single limit of at least \$2,000,000 for each occurrence and an aggregate limit of at least \$6,000,000.

(b) The railroad may require protective liability insurance with a combined single limit of \$2,000,000 for each occurrence and \$6,000,000 aggregate. The coverage may be provided by a blanket railroad protective liability insurance policy if the coverage, including the coverage limits, applies separately to each individual crossing. The coverage is required only during the period of construction, repair, or replacement of the facility.

(c) The certificate of insurance shall be from an insurer of the utility's choosing.

**Subd. 8. Objection to crossing; petition to Public Utilities Commission.** (a) If a railroad objects to the proposed crossing or paralleling due to the proposal being a serious threat to the safe operations of the railroad or to the current use of the railroad right-of-way, the railroad must notify the utility of the objection and the specific basis for the objection. The railroad shall send the notice of objection to the utility by certified mail, with return receipt requested.

(b) If the parties are unable to resolve the objection, either party may petition the Public Utilities Commission for assistance via mediation or arbitration of the disputed crossing application. The petition must be filed within 60 days of receipt of the objection. Before filing a petition, the parties shall make good faith efforts to resolve the objection.

(c) If a petition is filed, the Public Utilities Commission must issue an order within 120 days of filing of the petition. The order may be appealed under chapter 14 and section 216B.27. The Public Utilities Commission must assess the costs associated with a petition equitably among the parties.

**Subd. 9. Additional requirements; objection and petition to Public Utilities Commission.** (a) If a railroad imposes additional requirements on a utility for crossing its lines, other than the proposed crossing being a serious threat to the safe operations of the railroad or to the current use of the railroad right-of-way, the utility may object to one or more of the requirements. If it objects, the utility shall provide notice of the objection and the specific basis for the objection to the railroad by certified mail, with return receipt requested.

(b) If the parties are unable to resolve the objection, either party may petition the Public Utilities Commission for resolution or modification of the additional requirements. The petition must be filed within 60 days of receipt of the objection. Before filing a petition, the parties shall make good faith efforts to resolve the objection.

(c) If a petition is filed, the Public Utilities Commission shall determine, after notice and opportunity for hearing, whether special circumstances exist that necessitate additional requirements for the placement of the crossing. The Public Utilities Commission must issue an order within 120 days of filing of the petition. The order may be appealed under chapter 14 and section 216B.27. The Public Utilities Commission shall assess the costs associated with a petition equitably among the parties.

Subd. 10. **Operational relocation.** (a) A railroad may require a utility to relocate a facility when the railroad determines that relocation is essential to accommodate railroad operations, and the relocation is not arbitrary or unreasonable. Before agreeing to the relocation, a utility may require a railroad to provide a statement and supporting documentation identifying the operational necessity for requesting the relocation. A utility must perform the relocation within a reasonable period of time following the agreement.

(b) Relocation is at the expense of the small utility. A standard fee under subdivision 6 may not be imposed for relocation.

Subd. 11. **Existing agreements.** Nothing in this section prevents a railroad and a utility from continuing under an existing agreement, or from otherwise negotiating the terms and conditions applicable to a crossing or the resolution of any disputes relating to the crossing. A utility may elect to undertake a crossing or paralleling under this section or section 237.04. Nothing in this section impairs the authority of a utility to secure crossing rights by easement through exercise of the power of eminent domain.

### Sec. 3. **APPROPRIATION.**

\$80,000 in fiscal year 2017 is appropriated from the general fund to the Public Utilities Commission for the purposes of section 2. This appropriation is added to the appropriation in Laws 2015, First Special Session chapter 1, article 1, section 9. The base for this appropriation in fiscal year 2018 and after is \$21,000."

Delete the title and insert:

"A bill for an act relating to utilities; establishing requirements relating to crossing railroad rights-of-way by utilities; appropriating money; amending Minnesota Statutes 2014, section 216B.62, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 237."

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 1412, A bill for an act relating to environment; modifying electronic waste management provisions; requiring a report; amending Minnesota Statutes 2014, sections 115A.1310, subdivision 20, by adding a subdivision; 115A.1312, subdivisions 2, 3, 4; 115A.1314, as amended; 115A.1316; 115A.1318, subdivisions 1, 2, by adding a subdivision; 115A.1320; 115A.1323; 115A.1328; repealing Minnesota Statutes 2014, section 115A.1310, subdivision 8.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 115A.1310, subdivision 6, is amended to read:

Subd. 6. **Computer monitor.** "Computer monitor" means an electronic device that is a cathode-ray tube or flat panel display primarily intended to display information from a central processing unit or the Internet. ~~Computer monitor includes a laptop computer.~~

Sec. 2. Minnesota Statutes 2014, section 115A.1310, subdivision 7, is amended to read:

Subd. 7. **Covered electronic device.** "Covered electronic device" means computers, including tablet computers and laptop computers, peripherals, facsimile machines, DVD players, video cassette recorders, and video display devices that are sold to a household by means of retail, wholesale, or electronic commerce.

Sec. 3. Minnesota Statutes 2014, section 115A.1310, is amended by adding a subdivision to read:

Subd. 12a. **Portable battery.** "Portable battery" means a rechargeable battery as defined in section 115A.9157.

**EFFECTIVE DATE.** This section is effective July 1, 2016.

Sec. 4. Minnesota Statutes 2014, section 115A.1310, is amended by adding a subdivision to read:

Subd. 12b. **Phase I recycling credits.** "Phase I recycling credits" means the number of pounds of covered electronic devices recycled by a manufacturer from households during program years one through nine, less the product of the number of pounds of video display devices sold to households during the same program year, multiplied by the proportion of sales a manufacturer is required to recycle.

Sec. 5. Minnesota Statutes 2014, section 115A.1310, is amended by adding a subdivision to read:

Subd. 12c. **Phase II recycling credits.** "Phase II recycling credits" means the number of pounds of covered electronic devices recycled by a manufacturer during a program year beginning July 1, 2019, and thereafter, from households located outside the 11-county metropolitan area, as defined in section 115A.1314, subdivision 2, less the manufacturer's recycling obligation calculated for the same program year in section 115A.1320, subdivision 1, paragraph (g).

Sec. 6. Minnesota Statutes 2014, section 115A.1310, subdivision 20, is amended to read:

Subd. 20. **Video display device.** "Video display device" means a television or computer monitor, ~~including a laptop computer,~~ that contains a cathode-ray tube or a flat panel screen ~~with a screen size that is greater than nine inches measured diagonally and~~ that is marketed by manufacturers for use by households. Video display device does not include any of the following:

(1) a video display device that is part of a motor vehicle or any component part of a motor vehicle assembled by, or for, a vehicle manufacturer or franchised dealer, including replacement parts for use in a motor vehicle;

(2) a video display device, including a touch-screen display, that is functionally or physically part of a larger piece of equipment or is designed and intended for use in an industrial; commercial, including retail; library checkout; traffic control; kiosk; security, other than household security; border control; or medical setting, including diagnostic, monitoring, or control equipment;

(3) a video display device that is contained within a clothes washer, clothes dryer, refrigerator, refrigerator and freezer, microwave oven, conventional oven or range, dishwasher, room air conditioner, dehumidifier, or air purifier; or

(4) a telephone of any type ~~unless it contains a video display area greater than nine inches measured diagonally.~~

**EFFECTIVE DATE.** This section is effective July 1, 2016.

Sec. 7. Minnesota Statutes 2014, section 115A.1312, subdivision 2, is amended to read:

Subd. 2. **Manufacturer's registration.** (a) By August 15 each year, a manufacturer of video display devices sold or offered for sale to households ~~after September 1, 2007, in the state~~ must submit a registration to the agency that includes:

(1) a list of the manufacturer's brands of video display devices offered for sale in this state;

(2) the name, address, and contact information of a person responsible for ensuring compliance with this chapter; and

(3) a certification that the manufacturer has complied and will continue to comply with the requirements of sections 115A.1312 to 115A.1318.

(b) ~~By September 1, 2008, and each year thereafter,~~ A manufacturer of video display devices sold or offered for sale to a household must include in the registration submitted under paragraph (a), a statement disclosing whether:

(1) any video display devices sold to households exceed the maximum concentration values established for lead, mercury, cadmium, hexavalent chromium, polybrominated biphenyls (PBB's), and polybrominated diphenyl ethers (PBDE's) under the RoHS (restricting the use of certain hazardous substances in electrical and electronic equipment) Directive 2002/95/EC of the European Parliament and Council and any amendments thereto; or

(2) the manufacturer has received an exemption from one or more of those maximum concentration values under the RoHS Directive that has been approved and published by the European Commission.

(c) A manufacturer who begins to sell or offer for sale video display devices to households after ~~September 1, 2007~~ August 15, 2016, and has not filed a registration under this subdivision must submit a registration to the agency within ten days of beginning to sell or offer for sale video display devices to households.

(d) A registration must be updated within ten days after a change in the manufacturer's brands of video display devices sold or offered for sale to households.

(e) A registration is effective upon receipt by the agency and is valid until ~~September 1 of~~ August 15 each year.

(f) The agency must review each registration and notify the manufacturer of any information required by this section that is omitted from the registration. Within 30 days of receipt of a notification from the agency, the manufacturer must submit a revised registration providing the information noted by the agency.

(g) The agency must maintain on its Web site the names of manufacturers and the manufacturers' brands listed in registrations filed with the agency. The agency must update the Web site information promptly upon receipt of a new or updated registration. The Web site must contain prominent language stating, in effect, that sections 115A.1310 to 115A.1330 are directed at household equipment and the manufacturers' brands list is, therefore, not a list of manufacturers qualified to sell to industrial, commercial, or other markets identified as exempt from the requirements of sections 115A.1310 to 115A.1330.

**EFFECTIVE DATE.** This section is effective July 1, 2016.

Sec. 8. Minnesota Statutes 2014, section 115A.1312, subdivision 3, is amended to read:

Subd. 3. **Collector's registration.** ~~After August 1, 2007,~~ No person may operate as a collector of covered electronic devices from households unless that person has submitted a registration with the agency by July 15 each year on a form prescribed by the commissioner. Registration information must include the name, address, telephone number, and location of the business and a certification that the collector has complied and will continue to comply with the requirements of sections 115A.1312 to 115A.1318 and any regulations adopted by a local government unit for the jurisdiction in which the collector operates. A collector must indicate any end-of-life fees that will be charged at the collection point. A registration is effective upon receipt by the agency and is valid until July ~~1 of~~ 15 each year.

**EFFECTIVE DATE.** This section is effective July 1, 2016.

Sec. 9. Minnesota Statutes 2014, section 115A.1312, subdivision 4, is amended to read:

Subd. 4. **Recycler's registration.** ~~After August 1, 2007,~~ No person may recycle video display devices generated by households unless that person has submitted a registration with the agency by July 15 each year on a form prescribed by the commissioner. Registration information must include the name, address, telephone number, and location of all recycling facilities under the direct control of the recycler that may receive ~~video display covered~~ electronic devices from households and a certification that the recycler has complied and will continue to comply with the requirements of sections 115A.1312 to 115A.1318. A registered recycler ~~may~~ must conduct recycling activities that are consistent with this chapter. A registration is effective upon receipt by the agency and is valid until July ~~1 of~~ 15 each year.

**EFFECTIVE DATE.** This section is effective July 1, 2016.

Sec. 10. Minnesota Statutes 2015 Supplement, section 115A.1314, subdivision 1, is amended to read:

Subdivision 1. **Registration fee.** (a) Each manufacturer who registers under section 115A.1312 must, by ~~September 1, 2007,~~ and August 15 each year ~~thereafter,~~ pay to the commissioner of revenue an annual registration fee, on a form and in a manner prescribed by the commissioner of revenue. The commissioner of revenue must deposit the fee in the state treasury and credit the fee to the environmental fund.

(b) The registration fee for manufacturers that sell 100 or more video display devices to households in the state during the previous calendar year is equal to a base fee of \$2,500, plus a variable recycling fee. The variable recycling fee is calculated according to the formula:

$((A \times B) - (C + D)) \times E [A - (B + C)] \times D$ , where:

(1) ~~A = the number of pounds of a manufacturer's video display devices sold to households during the previous program year, as reported to the department~~ the manufacturer's recycling obligation as determined under section ~~115A.1316, subdivision 1~~ 115A.1320;

(2) ~~B = the proportion of sales of video display devices required to be recycled, set at 0.6 for the first program year and 0.8 for the second program year and every year thereafter;~~

(3) ~~C =~~ the number of pounds of covered electronic devices recycled by a manufacturer from households during the ~~previous~~ immediately preceding program year, as reported ~~to the department~~ under section 115A.1316, subdivision 1;

~~(4) D C~~ = the number of phase I or phase II recycling credits a manufacturer elects to use to calculate the variable recycling fee, ~~as reported to the department under section 115A.1316, subdivision 1;~~ and

~~(5) E D~~ = the estimated per-pound cost of recycling, initially set at \$0.50 per pound for manufacturers who recycle less than 50 percent of the ~~product (A x B) manufacturer's recycling obligation~~; \$0.40 per pound for manufacturers who recycle at least 50 percent but less than 90 percent of the ~~product (A x B) manufacturer's recycling obligation~~; ~~and~~ \$0.30 per pound for manufacturers who recycle at least 90 percent but less than 100 percent of the ~~product (A x B) manufacturer's recycling obligation~~; and \$0.00 per pound for manufacturers who recycle 100 percent or more of the manufacturer's recycling obligation.

(c) A manufacturer may petition the agency to waive the per-pound cost of recycling fee, element D in the formula in paragraph (b), required under this section. The agency shall direct the commissioner of revenue to waive the per-pound cost of recycling fee if the manufacturer demonstrates to the agency's satisfaction a good faith effort to meet its recycling obligation as determined under section 115A.1320. The petition must include:

(1) documentation that the manufacturer has met at least 75 percent of its recycling obligation as determined under section 115A.1320;

(2) a list of political subdivisions and public and private collectors with whom the manufacturer had a formal contract or agreement in effect during the previous program year to recycle or collect covered electronic devices;

(3) the total amounts of covered electronic devices collected from both within and outside of the 11-county metropolitan area, as defined in subdivision 2;

(4) a description of the manufacturer's best efforts to meet its recycling obligation as determined under section 115A.1320; and

(5) any other information requested by the agency.

~~(e) If, as specified in paragraph (b), the term C - (A x B) equals a positive number of pounds, that amount is defined as the manufacturer's recycling credits. (d) A manufacturer may retain phase I and phase II recycling credits to be added, in whole or in part, to the actual value of C, as reported under section 115A.1316, subdivision 2, during any succeeding program year, provided that no more than 25 percent of a manufacturer's recycling obligation (A x B) for any program year may be met with phase I and phase II recycling credits, separately or in combination, generated in a prior program year. A manufacturer may sell any portion or all of its phase I and phase II recycling credits to another manufacturer, at a price negotiated by the parties, who may use the credits in the same manner.~~

~~(e) For the purpose of calculating a manufacturer's variable recycling fee under paragraph (b), starting with the program year beginning July 1, 2019, and continuing each year thereafter, the weight of covered electronic devices collected from households located outside the 11-county metropolitan area, as defined in subdivision 2, paragraph (e) (b), is calculated at 1.5 times their actual weight.~~

~~(e) The registration fee for the initial program year and the base registration fee thereafter for a manufacturer who produces fewer than 100 video display devices for sale annually to households is \$1,250.~~

~~(f) For the ninth program year, the agency shall publish a statewide recycling goal of 16,000,000 pounds.~~

~~(g) For the ninth program year, the agency shall determine each registered manufacturer's market share of video display devices to be collected and recycled based on the manufacturer's percentage share of the total weight of video display devices sold as reported to the Department for the eighth program year as reported to the agency by July 15, 2015. By July 30, 2015, the agency shall provide each manufacturer with a determination of its share of~~

~~video display devices to be collected and recycled, which is the quotient of the total weight of the manufacturer's video display devices sold to households in the eighth program year, divided by the total weight of all manufacturers' video display devices sold to households in this state based on reporting to the agency for the eighth program year, then applied proportionally to the statewide recycling goal of 16,000,000 pounds as specified in paragraph (f).~~

~~(h) If a manufacturer's obligation for the recycling of video display devices as determined in paragraph (b), clauses (1) and (2), by weight is higher than the obligation determined by the agency in paragraph (g), then the higher number is the obligation for program year nine.~~

~~(i) For the ninth program year, a manufacturer that did not report sales data to the department for the eighth or ninth program years shall be subject to a recycling obligation that is equal to 80 percent by weight of the manufacturer's video display devices sold to households.~~

**EFFECTIVE DATE.** This section is effective July 1, 2016.

Sec. 11. Minnesota Statutes 2014, section 115A.1316, is amended to read:

#### **115A.1316 REPORTING REQUIREMENTS.**

Subdivision 1. **Manufacturer's reporting requirements.** (a) By August 1, 2016, each manufacturer must report to the agency using the form prescribed:

(1) the total weight of each specific model of its video display devices sold to households during the previous program year; and

(2) either:

(i) the total weight of its video display devices sold to households during the previous program year; or

(ii) an estimate of the total weight of its video display devices sold to households during the previous program year, calculated by multiplying the weight of its video display devices sold nationally times the quotient of Minnesota's population divided by the national population. All manufacturers with sales of 99 or fewer video display devices to households in the state during the previous calendar year must report using the method under this item for calculating sales.

~~(b) By ~~September 1~~ of March 1, 2017, and each year, beginning in 2008 March 1 thereafter, each manufacturer must report to the ~~department~~ agency using the form prescribed:~~

~~(1) the total weight of each specific model of its video display devices sold to households during the previous ~~program~~ calendar year; and~~

~~(2) either:~~

~~(i) the total weight of its video display devices sold to households during the previous calendar year; or~~

~~(3) (ii) an estimate of the total weight of its video display devices sold to households during the previous ~~program~~ calendar year, calculated by multiplying the weight of its video display devices sold nationally times the quotient of Minnesota's population divided by the national population. All manufacturers with sales of 99 or fewer video display devices to households in the state during the previous calendar year must report using the method under this item for calculating sales.~~

A manufacturer must submit with the report required under this paragraph a description of how the information or estimate was calculated.

~~(b)~~ (c) By ~~September 1 of~~ August 15 each year, ~~beginning in 2008~~, each manufacturer must report to the department until June 30, 2017, and to the agency thereafter, the total weight of covered electronic devices the manufacturer collected from households and recycled or arranged to have collected and recycled during the preceding program year. ~~If a manufacturer wishes to receive the variable recycling rate of 1.5 for covered electronic devices it recycles, the manufacturer must report separately the total weight of covered electronic devices collected from households located in counties specified in section 115A.1314, subdivision 1, paragraph (d), and those collected from households located outside those counties.~~

~~(e)~~ (d) By ~~September 1 of~~ August 15 each year, ~~beginning in 2008~~, each manufacturer must report separately to the department until June 30, 2017, and to the agency thereafter:

(1) the number of phase I and phase II recycling credits the manufacturer has purchased and sold during the preceding program year;

(2) the number of phase I and phase II recycling credits possessed by the manufacturer that the manufacturer elects to use in the calculation of its variable recycling fee under section 115A.1314, subdivision 1; and

(3) the number of phase I and phase II recycling credits the manufacturer retains at the beginning of the current program year.

(e) Upon request of the commissioner of revenue, the agency shall provide a copy of each report to the commissioner of revenue.

Subd. 2. **Recycler's reporting requirements.** By ~~August 1 of~~ July 15 each year, ~~beginning in 2008~~, a recycler of covered electronic devices must report to the agency ~~and the department~~:

(1) the total weight of covered electronic devices recycled during the preceding program year and must certify that the recycler has complied with section 115A.1318, subdivision 2;

(2) the weight of video display devices recycled as part of covered electronic devices recycled during the previous program year; and

(3) an estimate of the weight of portable batteries and any mercury-containing lamps that are associated with the covered electronic devices managed.

Upon request of the commissioner of revenue, the agency shall provide a copy of each report to the commissioner of revenue.

Subd. 3. **Collector's reporting requirements.** By ~~August 1 of~~ July 15 each year, ~~beginning in 2008~~, a collector must report separately to the agency using the form prescribed by the commissioner:

(1) the total pounds of covered electronic devices collected in the ~~counties specified in section 115A.1314, subdivision 1, paragraph (d), and all other Minnesota counties, and state~~;

(2) a list of all recyclers to whom collectors delivered covered electronic devices; and

(3) whether the collector had a contract with a recycler or manufacturer to provide pounds toward meeting a manufacturer's obligation.

**EFFECTIVE DATE.** This section is effective July 1, 2016.

Sec. 12. Minnesota Statutes 2014, section 115A.1318, subdivision 1, is amended to read:

Subdivision 1. **Manufacturer's responsibilities.** (a) In addition to fulfilling the requirements of sections 115A.1310 to 115A.1330, a manufacturer must comply with paragraphs (b) to ~~(e)~~ (f).

(b) A manufacturer must annually recycle or arrange for the collection and recycling of an amount of ~~covered electronic video display~~ devices ~~equal to the total weight of its video display devices sold to households during the preceding program year, multiplied by the proportion of sales of video display devices required to be recycled, as established~~ determined by the agency ~~under~~ in section 115A.1320, subdivision 1, ~~paragraph (e)~~. A manufacturer must assume all financial responsibility associated with transporting and recycling covered electronic devices that are used to meet the manufacturer's recycling obligation determined under section 115A.1320 or that are counted as phase I or II recycling credits, including any necessary supplies. This excludes costs that are associated with receiving and aggregating covered electronic devices from households and all the activities up to the time that covered electronic devices are loaded for transport to a recycler or arranged for transportation to a recycler.

(c) The obligations of a manufacturer apply only to video display devices received from households and do not apply to video display devices received from sources other than households.

(d) A manufacturer must conduct and document due diligence assessments of collectors and recyclers it contracts with, including an assessment of items specified under subdivision 2. A manufacturer is responsible for maintaining, for a period of three years, documentation that all ~~video display~~ covered electronic devices recycled, partially recycled, or sent to downstream recycling operations comply with the requirements of subdivision 2.

(e) A manufacturer must provide the agency with contact information for a person who can be contacted regarding the manufacturer's activities under sections 115A.1310 to 115A.1320.

(f) Only the covered electronic devices that are recycled by a registered recycler that is certified by an ANSI-ASQ National Accreditation Board-accredited third-party certification body to an environmentally sound management standard are eligible to meet the manufacturer's obligation.

**EFFECTIVE DATE.** This section is effective July 1, 2016.

Sec. 13. Minnesota Statutes 2014, section 115A.1318, is amended by adding a subdivision to read:

Subd. 1a. **Collector's responsibilities.** (a) Collection sites must be:

(1) staffed; and

(2) open to the public at a frequency adequate to meet the needs of the area being served.

(b) A collector may limit the number of covered electronic devices or covered electronic devices by product type accepted per customer per day or per delivery at a collection site or service.

(c) A collector must use only registered recyclers.

**EFFECTIVE DATE.** This section is effective July 1, 2016.

Sec. 14. Minnesota Statutes 2014, section 115A.1318, subdivision 2, is amended to read:

Subd. 2. **Recycler's responsibilities.** (a) As part of the report submitted under section 115A.1316, subdivision 2, a recycler must certify, except as provided in paragraph (b), that facilities that recycle ~~video display~~ covered electronic devices, including all downstream recycling operations:

- (1) use only registered collectors;
- (2) comply with all applicable health, environmental, safety, and financial responsibility regulations;
- ~~(2)~~ (3) are licensed by all applicable governmental authorities;
- ~~(3)~~ (4) use no prison labor to recycle video display devices; and
- (4) (5) possess liability insurance of not less than \$1,000,000 for environmental releases, accidents, and other emergencies;
- (6) provide a report annually to each registered collector regarding the video display devices received from that entity; and
- (7) do not charge collectors for the transportation and recycling of covered electronic devices that meet a manufacturer's recycling obligation as determined under section 115A.1320, unless otherwise mutually agreed upon.

(b) A nonprofit corporation that contracts with a correctional institution to refurbish and reuse donated computers in schools is exempt from paragraph (a), clauses ~~(3)~~ and (4) and (5).

(c) Except to the extent otherwise required by law and unless agreed upon otherwise by the recycler or manufacturer, a recycler has no responsibility for any data that may be contained in a covered electronic device if an information storage device is included in the covered electronic device.

**EFFECTIVE DATE.** This section is effective July 1, 2016.

Sec. 15. Minnesota Statutes 2014, section 115A.1320, is amended to read:

**115A.1320 AGENCY AND DEPARTMENT DUTIES.**

Subdivision 1. **Duties of agency.** (a) The agency shall administer sections 115A.1310 to 115A.1330.

(b) The agency shall establish procedures for:

(1) receipt and maintenance of the registration statements and certifications filed with the agency under section 115A.1312; and

(2) making the statements and certifications easily available to manufacturers, retailers, and members of the public.

(c) The agency shall annually review the ~~value of the~~ following variables that are ~~part of the formula~~ used to calculate a manufacturer's annual registration fee under section 115A.1314, subdivision 1:

(1) the ~~proportion of sales of video display devices sold to households that~~ obligation-setting mechanism for manufacturers are required to recycle as specified under paragraph (g);

(2) the estimated per-pound price of recycling covered electronic devices sold to households; and

(3) the base registration fee; and.

~~(4) the multiplier established for the weight of covered electronic devices collected in section 115A.1314, subdivision 1, paragraph (d).~~

(d) If the agency determines that any of these values must be changed in order to improve the efficiency or effectiveness of the activities regulated under sections 115A.1312 to 115A.1330, or if the revenues exceed the amount that the agency determines is necessary, the agency shall submit recommended changes and the reasons for them to the chairs of the senate and house of representatives committees with jurisdiction over solid waste policy.

~~(d) (e) By January 15 September 1, 2016, and by May 1, 2017, and each year, beginning in 2008 May 1 thereafter, the agency shall calculate estimated sales of publish a statewide recycling goal for all video display devices sold to households by each manufacturer during the preceding program year, based on national sales data, and forward the estimates to the department. device waste that is the weight of all video display devices collected for recycling during each of the three most recently completed program years, excluding the most recently concluded program year, divided by two. For the program years beginning July 1, 2016, July 1, 2017, and July 1, 2018, the agency shall establish and publish separate statewide recycling goals for video display devices as follows:~~

(1) the agency shall set the statewide recycling goal for video display devices at 25,000,000 pounds, 23,000,000 pounds, and 21,000,000 pounds, respectively, during these successive program years;

(2) the agency shall set the recycling goal for televisions at 80 percent of the applicable amount in clause (1); and

(3) the agency shall set the recycling goal for computer monitors at 20 percent of the applicable amount in clause (1).

(f) By September 1, 2016, and by May 1, 2017, and each May 1 thereafter, the agency shall determine each registered manufacturer's market share of video display devices to be collected and recycled based on the manufacturer's percentage share of the total weight of video display devices sold as reported to the agency under section 115A.1316, subdivision 1.

(g) By September 1, 2016, and by May 1, 2017, and each May 1 thereafter, the agency shall provide each manufacturer with a determination of the manufacturer's share of video display devices to be collected and recycled. A manufacturer's market share of video display devices as specified in paragraph (f) is applied proportionally to the statewide recycling goal as specified in paragraph (e) to determine an individual manufacturer's recycling obligation. Upon request by the commissioner of revenue, the agency must provide the information submitted to manufacturers under this paragraph to the commissioner of revenue.

~~(e) (h) The agency shall provide a report to the governor and the legislature on the implementation of sections 115A.1310 to 115A.1330. For each program year, the report must discuss the total weight of covered electronic devices recycled and a summary of information in the reports submitted by manufacturers and recyclers under section 115A.1316. The report must also discuss the various collection programs used by manufacturers to collect covered electronic devices; information regarding covered electronic devices that are being collected by persons other than registered manufacturers, collectors, and recyclers; and information about covered electronic devices, if any, being disposed of in landfills in this state. The report must examine which covered electronic devices, based on economic and environmental considerations, should be subject to the obligation-setting mechanism under paragraph (g). The report must include a description of enforcement actions under sections 115A.1310 to 115A.1330. The agency may include in its report other information received by the agency regarding the implementation of sections 115A.1312 to 115A.1330. The report must be done in conjunction with the report required under section 115A.121.~~

~~(f)~~ (i) The agency shall promote public participation in the activities regulated under sections 115A.1312 to 115A.1330 through public education and outreach efforts.

~~(g)~~ (j) The agency shall enforce sections 115A.1310 to 115A.1330 in the manner provided by sections 115.071, subdivisions 1, 3, 4, 5, and 6; and 116.072, except for those provisions enforced by the department, as provided in subdivision 2. The agency may revoke a registration of a collector or recycler found to have violated sections 115A.1310 to 115A.1330.

~~(h)~~ (k) The agency shall facilitate communication between counties, collection and recycling centers, and manufacturers to ensure that manufacturers are aware of video display devices available for recycling.

~~(i) The agency shall develop a form retailers must use to report information to manufacturers under section 115A.1318 and post it on the agency's Web site.~~

~~(j)~~ (l) The agency shall post on its Web site the contact information provided by each manufacturer under section 115A.1318, subdivision 1, paragraph (e).

Subd. 2. **Additional duties of department.** (a) The ~~department~~ agency must collect the data submitted to it annually by each manufacturer on the total weight of each specific model of video display device sold to households, if provided; the total weight of video display devices sold to households; the total weight of covered electronic devices collected from households that are recycled; and data on phase I and phase II recycling credits, as required under section 115A.1316. The department must use this data to review each manufacturer's annual registration fee submitted to the department to ensure that the fee was calculated accurately ~~according to the formula in section 115A.1314, subdivision 1.~~

(b) The ~~department~~ agency must estimate, for each registered manufacturer, the sales of video display devices to households during the previous program year, based on:

(1) data provided by a manufacturer on sales of video display devices to households, including documentation describing how that amount was calculated and certification that the amount is accurate; or

(2) if a manufacturer does not provide the data specified in clause (1), national data on sales of video display devices.

The department must use the data specified in this subdivision to review each manufacturer's annual registration fee submitted to the department to ensure that the fee was calculated accurately according to the formula in section 115A.1314, subdivision 1.

(c) The department must enforce section 115A.1314, subdivision 1. The audit, assessment, appeal, collection, enforcement, disclosure, and other administrative provisions of chapters 270B, 270C, and 289A that apply to the taxes imposed under chapter 297A apply to the fee imposed under section 115A.1314, subdivision 1. To enforce ~~this subdivision,~~ section 115A.1314, subdivision 1, the commissioner of revenue may grant extensions to pay, and impose and abate penalties and interest on, the fee due under section 115A.1314, subdivision 1, in the manner provided in chapters 270C and 289A as if the fee were a tax imposed under chapter 297A.

(d) The department may disclose nonpublic data to the agency only when necessary for the efficient and effective administration of the activities regulated under sections 115A.1310 to 115A.1330. Any data disclosed by the department to the agency retains the classification it had when in the possession of the department.

**EFFECTIVE DATE.** This section is effective July 1, 2016.

Sec. 16. Minnesota Statutes 2014, section 115A.1323, is amended to read:

**115A.1323 ANTICOMPETITIVE CONDUCT.**

(a) A manufacturer that organizes collection or recycling under ~~this section~~ sections 115A.1310 to 115A.1322 is authorized to engage in anticompetitive conduct to the extent necessary to plan and implement its chosen organized collection or recycling system and is immune from liability under state laws relating to antitrust, restraint of trade, unfair trade practices, and other regulation of trade or commerce.

(b) An organization of manufacturers, an individual manufacturer, and its officers, members, employees, and agents who cooperate with a political subdivision that organizes collection or recycling under this section are authorized to engage in anticompetitive conduct to the extent necessary to plan and implement the organized collection or recycling system, provided that the political subdivision actively supervises the participation of each entity. An organization, entity, or person covered by this paragraph is immune from liability under state law relating to antitrust, restraint of trade, unfair trade practices, and other regulation of trade or commerce.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 17. **REPEALER.**

Minnesota Statutes 2014, section 115A.1310, subdivision 16, is repealed.

**EFFECTIVE DATE.** This section is effective July 1, 2016."

Delete the title and insert:

"A bill for an act relating to environment; modifying electronic waste management provisions; amending Minnesota Statutes 2014, sections 115A.1310, subdivisions 6, 7, 20, by adding subdivisions; 115A.1312, subdivisions 2, 3, 4; 115A.1316; 115A.1318, subdivisions 1, 2, by adding a subdivision; 115A.1320; 115A.1323; Minnesota Statutes 2015 Supplement, section 115A.1314, subdivision 1; repealing Minnesota Statutes 2014, section 115A.1310, subdivision 16."

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 3584, A bill for an act relating to state government; ratifying labor agreements.

Reported the same back with the following amendments:

Page 1, line 4, after "AGREEMENTS" insert "AND COMPENSATION PLAN"

Page 1, after line 19, insert:

"Subd. 4. **Commissioner's plan.** The commissioner of management and budget's compensation plan for unrepresented state employees, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on October 29, 2015, is approved."

Amend the title as follows:

Page 1, line 2, before the period, insert "and a compensation plan"

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 3585, A bill for an act relating to public employment; ratifying labor agreements and compensation plans; requiring affirmative approval before interim implementation of state employee collective bargaining agreements; prohibiting exclusive representatives from requiring political contributions; requiring open meetings; amending Minnesota Statutes 2014, sections 3.855, subdivision 2; 179A.14, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 179A.

Reported the same back with the following amendments:

Page 2, delete lines 7 to 17

Page 2, line 18, delete "6" and insert "5"

Page 4, line 17, delete "and mediation" and delete "and interest arbitration hearings"

Page 4, line 18, after the period, insert "If a public negotiation session is temporarily recessed, to the extent possible, the employer must post notice on the employer's Web site of when the negotiation session is expected to reconvene."

Page 4, line 20, delete "and mediation"

Page 4, line 21, delete "and interest arbitration hearings"

Page 4, delete lines 27 to 34

Amend the title as follows:

Page 1, line 2, after "and" insert "a"

Page 1, line 3, delete "plans" and insert "plan"

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

**SECOND READING OF HOUSE BILLS**

H. F. Nos. 621, 963, 1412, 3584 and 3585 were read for the second time.

**SECOND READING OF SENATE BILLS**

S. F. Nos. 2474, 2665, 2757, 2772 and 2985 were read for the second time.

**INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House File was introduced:

Wagenius, Liebling, Moran, Mariani and Persell introduced:

H. F. No. 4015, A bill for an act relating to health; lowering the blood lead level that constitutes an elevated blood lead level in the Lead Poisoning Prevention Act; amending Minnesota Statutes 2014, section 144.9501, subdivision 9.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

**MESSAGES FROM THE SENATE**

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 1111, A bill for an act relating to transportation; requiring drivers to stop vehicles at the direction of a school bus flagger; providing that bus driver is not subject to seat belt fines arising out of violations by certain passengers; amending Minnesota Statutes 2014, sections 169.444, subdivisions 2, 7, by adding subdivisions; 169.686, subdivision 1.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Koenen, Saxhaug and Dahms.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

JOANNE M. ZOFF, Secretary of the Senate

Anderson, P., moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 1111. The motion prevailed.

Mr. Speaker:

I hereby announce the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 2428, A bill for an act relating to human services; extending the legislative task force on child protection; amending Laws 2015, chapter 71, article 1, section 125.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Sheran, Lourey and Rosen.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

JOANNE M. ZOFF, Secretary of the Senate

Kresha moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 2428. The motion prevailed.

Mr. Speaker:

I hereby announce the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 2760, A bill for an act relating to state lands; providing for valuation of bond-financed property; modifying provisions for sale and exchange of state land; modifying prior sales authorization; providing for release of certain reversionary interest; designating state waysides and forests; adding to and deleting from state forests and parks; authorizing sales, conveyances, and exchange of certain state lands; amending Minnesota Statutes 2014, sections 85.013, by adding a subdivision; 89.021, by adding a subdivision; 92.115, by adding a subdivision; 94.3495, subdivisions 2, 3, 7; Minnesota Statutes 2015 Supplement, section 94.10, subdivision 2; Laws 2012, chapter 236, section 28, subdivisions 2, 5, 9; proposing coding for new law in Minnesota Statutes, chapter 94.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Hawj, Saxhaug and Weber.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

JOANNE M. ZOFF, Secretary of the Senate

Kiel moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 2760. The motion prevailed.

#### ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1111:

Swedzinski, Uglem and Persell.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2428:

Kresha, Bennett and Norton.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2760:

Kiel, Hackbarth and Ecklund.

Peppin moved that the House recess subject to the call of the Chair. The motion prevailed.

#### RECESS

#### RECONVENED

The House reconvened and was called to order by the Speaker.

There being no objection, the order of business reverted to Reports of Standing Committees and Divisions.

#### REPORTS OF STANDING COMMITTEES AND DIVISIONS

Peppin from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 659, A bill for an act relating to retirement; modifying cost of living adjustments; eliminating cost of living adjustment triggers; increasing St. Paul Teachers Retirement Fund Association employer contributions; making administrative changes to the Minnesota State Retirement System, Teachers Retirement Association, Public Employees Retirement Association, and St. Paul Teachers Retirement Fund Association; clarifying refund repayment procedures; modifying executive director credentials; clarifying combined service annuity augmentation rates and service requirements; revising appeal procedures; clarifying coverage for charter school administrators; modifying service credit purchase procedures; establishing new procedures for disability applications due to private disability insurance requirements; clarifying death and disability benefit payment provisions; modifying annual benefit limitations for federal tax code compliance; authorizing use of IRS correction procedures; clarifying benefit

offsets for certain refund payments; clarifying police and fire plan coverage for certain Hennepin Healthcare System supervisors; modifying various economic actuarial assumptions; adopting recommendations of the Volunteer Firefighter Relief Association Working Group; increasing relief association lump-sum service pension maximums; lowering certain vesting requirements for Eden Prairie Volunteer Firefighters Relief Association; providing for the consolidation of the Coleraine and Bovey Volunteer Firefighters Relief Associations; modifying the MSRS disability application deadlines in certain instances; adopting definition of the Hometown Heroes Act related to public safety officer death benefits; allowing service credit purchase and Rule of 90-eligibility for certain Minnesota Department of Transportation employees; authorizing MnSCU employees to elect retroactive and prospective TRA coverage; authorizing MnSCU employee to transfer past service from IRAP to PERA; increasing maximum employer contribution to a supplemental laborers pension fund; authorizing certain additional sources of retirement plan funding; making technical and conforming changes; amending Minnesota Statutes 2014, sections 3A.03, subdivision 3; 16A.14, subdivision 2a; 352.03, subdivisions 5, 6; 352.113, subdivisions 2, 4; 353.01, subdivision 43; 353.012; 353.32, subdivisions 1, 4; 353.34, subdivision 2; 354.05, subdivision 2, by adding a subdivision; 354.06, subdivisions 2, 2a; 354.095; 354.45, by adding a subdivision; 354.46, subdivision 6; 354.48, subdivision 1; 354.52, subdivisions 4, 6; 354A.011, subdivision 29; 354A.093, subdivision 4; 354A.095; 354A.12, subdivision 2a; 354A.35, subdivision 2; 354A.38, as amended; 356.24, subdivision 1; 356.30, subdivision 1; 356.635, by adding subdivisions; 356.96, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13; 423A.02, subdivision 3; 424A.01, by adding subdivisions; 424A.015, by adding a subdivision; 424B.20, subdivision 4; 490.121, subdivisions 25, 26; Minnesota Statutes 2015 Supplement, sections 3A.03, subdivision 2; 352.23; 352B.11, subdivision 4; 352D.05, subdivision 4; 353.01, subdivision 16; 353.0162; 353.64, subdivision 10; 353G.02, subdivision 6; 354.44, subdivision 9; 354A.093, subdivision 6; 354A.096; 354A.29, subdivision 7; 356.215, subdivisions 8, 11; 356.415, subdivisions 1a, 1d, 1e, 1f; 356.50, subdivision 2; 356.551, subdivision 2; 356.635, subdivision 10; 424A.02, subdivision 3; 490.124, subdivision 12; proposing coding for new law in Minnesota Statutes, chapters 356; 424A; repealing Minnesota Statutes 2014, sections 352.04, subdivision 11; 353.0161, subdivision 1; 353.34, subdivision 6; 354A.12, subdivision 2c; 354A.31, subdivision 3; 356.47, subdivision 1; 356.611, subdivisions 3, 3a, 4, 5; 356.96, subdivisions 14, 15; 424A.02, subdivision 13; Minnesota Statutes 2015 Supplement, sections 353.0161, subdivisions 2, 3; 354A.12, subdivision 3c; 354A.29, subdivisions 8, 9; 356.415, subdivision 1.

Reported the same back with the recommendation that the bill be re-referred to the Committee on State Government Finance.

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

Peppin from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 2342, A bill for an act relating to veterans; providing for placement on the Capitol grounds of a memorial commemorating Minnesotans awarded the Medal of Honor.

Reported the same back with the recommendation that the bill be placed on the General Register.

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. No. 2342 was read for the second time.

### CALENDAR FOR THE DAY

S. F. No. 3589 was reported to the House.

Smith moved to amend S. F. No. 3589, the third engrossment, as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 3959, the fourth engrossment:

"Section 1. Minnesota Statutes 2014, section 171.01, is amended by adding a subdivision to read:

Subd. 41a. **Noncompliant license; noncompliant identification card.** "Noncompliant license," "noncompliant identification card," or "noncompliant license or identification card," means a driver's license or Minnesota identification card issued under section 171.019, subdivision 2, clause (2).

Sec. 2. Minnesota Statutes 2014, section 171.01, is amended by adding a subdivision to read:

Subd. 45b. **REAL ID Act.** "REAL ID Act" means the REAL ID Act of 2005, Public Law 109-13, Division B.

Sec. 3. Minnesota Statutes 2014, section 171.01, is amended by adding a subdivision to read:

Subd. 48b. **Temporary lawful status.** "Temporary lawful status" has the meaning given in Code of Federal Regulations, title 6, section 37.3.

Sec. 4. Minnesota Statutes 2014, section 171.017, is amended to read:

**171.017 BACKGROUND INVESTIGATIONS; DEPARTMENT DRIVER'S LICENSE AGENTS AND CERTAIN EMPLOYEES.**

Subdivision 1. **Background checks authorized.** The commissioner ~~shall~~ must investigate the criminal history background of any driver's license agent and any current or prospective employees of the department or driver's license agent being considered for any position ~~with the department~~ that has or will have the ability to:

(1) ~~the ability to~~ create or modify records of applicants for identification cards and driver's licenses, including enhanced drivers' licenses under section 171.01, subdivision 31a, or and enhanced identification cards under section 171.01, subdivision 31b;

(2) ~~the ability to~~ issue enhanced drivers' licenses ~~under section 171.01, subdivision 31a,~~ or enhanced identification cards ~~under section 171.01, subdivision 31b;~~ or

(3) ~~the ability to~~ administer knowledge or skills tests under section 171.13 to an applicant for a commercial driver's license.

Subd. 2. **Procedure.** (a) The commissioner must request a criminal history background check from the superintendent of the Bureau of Criminal Apprehension on all individuals specified in subdivision 1. A request under this section must be accompanied by an executed criminal history consent form, including fingerprints, signed by the agent or the current or prospective employee being investigated.

(b) After receiving a request under paragraph (a), the superintendent of the Bureau of Criminal Apprehension shall perform the background check required under subdivision 1. The superintendent shall retrieve criminal history data as defined in section 13.87, conduct a search of the national criminal records repository, and provide wants and warrant information from federal and state repositories. The superintendent is authorized to exchange fingerprints with the Federal Bureau of Investigation for purposes of the criminal history check. The superintendent shall return the results of the background checks to the commissioner to determine whether:

(1) the agent, employee, or applicant for employment specified in subdivision 1, clause (1) or (2), has committed a disqualifying crime under Code of Federal Regulations, title 49, section 1572.103; or

(2) the employee or applicant for employment specified in subdivision 1, clause (3), has a conviction of the type specified by Code of Federal Regulations, title 49, section 384.228(j).

(c) The superintendent shall recover the cost to the bureau of a background check through a fee charged to the commissioner or the driver's license agent, as appropriate, for the person on whom a background check is performed.

Subd. 3. **Notification by other criminal justice agencies.** Criminal justice agencies, as defined by section 13.02, subdivision 3a, shall provide the commissioner with information they possess and that the commissioner requires for the purposes of determining the employment suitability of current or prospective employees subject to this section.

Subd. 4. **Annual background checks in certain instances.** Consistent with Code of Federal Regulations, title 49, section 384.228, the commissioner shall request and the superintendent shall conduct annual background checks for the department employees specified in subdivision 1, clause (3). Annual background checks under this subdivision ~~shall~~ must be performed in a manner consistent with subdivisions 2 and 3.

**EFFECTIVE DATE.** This section is effective July 1, 2017.

Sec. 5. **[171.019] REAL ID ACT CONFORMITY; LIMITATIONS.**

Subdivision 1. **Definition.** For purposes of this section, "federal change" means an appreciable modification or addition to REAL ID Act requirements, made after the effective date of this act, with respect to: legal requirements; processes; policies and procedures; or data collection, storage, and dissemination. Federal change includes but is not limited to a modification:

(1) in what constitutes an official purpose under Code of Federal Regulations, title 6, part 37;

(2) in the machine-readable technology standards for a license or Minnesota identification card;

(3) in the information provided on the face of the license or Minnesota identification card;

(4) that relates to dissemination of state-provided data to or among federal agencies, other states, organizations operating under agreement among the states, or private entities; and

(5) that imposes an identifiable cost for the state of Minnesota.

Subd. 2. **License and Minnesota identification card options.** The commissioner must:

(1) except as provided in clauses (2) and (3), meet the requirements of the REAL ID Act for licenses and identification cards under this chapter, including but not limited to documentation requirements, administrative processes, electronic validation or verification of data, and card design and marking;

(2) establish a license and Minnesota identification card that does not meet all requirements of the REAL ID Act, as provided in this chapter, including but not limited to section 171.12, subdivision 7b; and

(3) establish an enhanced driver's license or enhanced identification card, as provided in this chapter.

Subd. 3. **Limitations.** Compliance under subdivision 2, clause (1), is limited to those requirements of the REAL ID Act in effect as of the effective date of this act. The commissioner may not take any action to implement or meet the requirements of a federal change.

Subd. 4. **Legislative notification.** (a) Upon identification of an impending or completed federal change, the commissioner must notify the chairs and ranking minority members of the legislative committees having jurisdiction over transportation policy and finance, public safety, and data practices, and the Legislative Commission on Data Practices and Personal Data Privacy. Notification must be submitted as required under section 3.195, except that printed copies are not required.

(b) Notification under this subdivision must include a review of the federal change, an initial analysis of data practices impacts, and any preliminary estimates of implementation costs, including the availability of additional federal funds.

Subd. 5. **Statutory construction.** (a) Unless specifically provided otherwise, a driver's license, instruction permit, or provisional license includes any noncompliant license. Unless specifically provided otherwise, a Minnesota identification card includes any noncompliant identification card.

(b) A noncompliant license does not include an enhanced driver's license, and a noncompliant identification card does not include an enhanced identification card.

Sec. 6. Minnesota Statutes 2014, section 171.04, is amended by adding a subdivision to read:

Subd. 5. **Temporary lawful admission.** The commissioner must not issue a driver's license or Minnesota identification card to an applicant whose lawful temporary admission period, as demonstrated under section 171.06, subdivision 3, paragraph (b), expires within 30 days of the date of the application.

Sec. 7. Minnesota Statutes 2014, section 171.06, subdivision 1, is amended to read:

~~Subdivision 1. **Forms of Application format and requirements.** (a) Every application for a Minnesota identification card, ~~for including an enhanced identification card, or for a driver's license including for an instruction permit, for a provisional license, for a driver's license, or for and an enhanced driver's license,~~ must be made in a format approved by the department, ~~and~~. Every application must be accompanied by payment of the proper fee. ~~All first time applications and change of status applications must be signed in the presence of the person authorized to accept the application, or the signature on the application may be verified by a notary public. All applications requiring evidence of legal presence in the United States or United States citizenship~~~~

(b) All applicants must sign the application and declare, under penalty of perjury, that the information presented in the application is true and correct. The application must be signed in the presence of the person authorized to accept the application, or the signature on the application may be verified by a notary public.

Sec. 8. Minnesota Statutes 2014, section 171.06, subdivision 3, is amended to read:

Subd. 3. **Contents of application; other information.** (a) An application must:

(1) state the full name, date of birth, sex, and either (i) the residence address of the applicant, or (ii) designated address under section 5B.05;

(2) as may be required by the commissioner, contain a description of the applicant and any other facts pertaining to the applicant, the applicant's driving privileges, and the applicant's ability to operate a motor vehicle with safety;

(3) state:

(i) the applicant's Social Security number; or

(ii) if the applicant does not have a Social Security number and is applying for a Minnesota identification card, instruction permit, or class D provisional or driver's license, that the applicant ~~certifies~~ verifies that the applicant ~~does not have~~ is not eligible for a Social Security number;

~~(4) in the case of an application for an enhanced driver's license or enhanced identification card, present:~~

~~(i) proof satisfactory to the commissioner of the applicant's full legal name, United States citizenship, identity, date of birth, Social Security number, and residence address; and~~

~~(ii) a photographic identity document;~~

~~(5) contain a space where the applicant may indicate a desire to make an anatomical gift according to paragraph (b);~~

~~(6) (4) contain a notification to the applicant of the availability of a living will/health care directive designation on the license under section 171.07, subdivision 7; and~~

~~(7) (5) contain a space spaces where the applicant may:~~

~~(i) request a veteran designation on the license under section 171.07, subdivision 15, and the driving record under section 171.12, subdivision 5a;~~

~~(ii) indicate a desire to make an anatomical gift under paragraph (d); and~~

~~(iii) as applicable, designate document retention as provided under section 171.12, subdivision 3c.~~

~~(b) All applications must be accompanied by satisfactory evidence demonstrating the applicant's:~~

~~(1) identity, date of birth, and Social Security number, or related documentation as applicable;~~

~~(2) principal residence address in Minnesota, including application for a renewal or change of address, unless the applicant provides a designated address under section 5B.05; and~~

~~(3) lawful status, as defined in Code of Federal Regulations, title 6, section 37.3.~~

~~(c) An application for an enhanced driver's license or enhanced identification card must be accompanied by:~~

~~(1) satisfactory evidence demonstrating the applicant's full legal name and United States citizenship; and~~

~~(2) a photographic identity document.~~

~~(b)~~ (d) If the applicant does not indicate a desire to make an anatomical gift when the application is made, the applicant must be offered a donor document in accordance with section 171.07, subdivision 5. The application must contain statements sufficient to comply with the requirements of the Darlene Luther Revised Uniform Anatomical Gift Act, chapter 525A, so that execution of the application or donor document will make the anatomical gift as provided in section 171.07, subdivision 5, for those indicating a desire to make an anatomical gift. The application must be accompanied by information describing Minnesota laws regarding anatomical gifts and the need for and benefits of anatomical gifts, and the legal implications of making an anatomical gift, including the law governing revocation of anatomical gifts. The commissioner shall distribute a notice that must accompany all applications for and renewals of a driver's license or Minnesota identification card. The notice must be prepared in conjunction with a Minnesota organ procurement organization that is certified by the federal Department of Health and Human Services and must include:

(1) a statement that provides a fair and reasonable description of the organ donation process, the care of the donor body after death, and the importance of informing family members of the donation decision; and

(2) a telephone number in a certified Minnesota organ procurement organization that may be called with respect to questions regarding anatomical gifts.

~~(c)~~ (e) The application must be accompanied also by information containing relevant facts relating to:

(1) the effect of alcohol on driving ability;

(2) the effect of mixing alcohol with drugs;

(3) the laws of Minnesota relating to operation of a motor vehicle while under the influence of alcohol or a controlled substance; and

(4) the levels of alcohol-related fatalities and accidents in Minnesota and of arrests for alcohol-related violations.

Sec. 9. Minnesota Statutes 2014, section 171.06, is amended by adding a subdivision to read:

**Subd. 3b. Information for applicants.** (a) The commissioner must develop summary information on identity document options and must ensure distribution of the information to all driver's license and Minnesota identification card applicants.

(b) The summary information must include the following information, expressed in a clear and concise manner:

(1) a listing of each available type of driver's license and Minnesota identification card, including a noncompliant license or identification card, an enhanced driver's license, and an enhanced identification card;

(2) the official purposes of and limitations on use for each type of driver's license and Minnesota identification card;

(3) an overview of data shared outside the state, including through electronic validation or verification systems, as part of application and issuance of each type; and

(4) a statement notifying applicants that a driver's license or Minnesota identification card that meets the requirements of the REAL ID Act is not mandatory.

(c) An applicant for a noncompliant license or identification card must sign an acknowledgment of understanding of the limitations on its use.

Sec. 10. **[171.0605] EVIDENCE OF IDENTITY AND LAWFUL PRESENCE.**

**Subdivision 1. Scope and application.** This section only applies for application and issuance of driver's licenses and Minnesota identification cards that meet the requirements of the REAL ID Act. Except as otherwise provided under this section, the requirements of Minnesota Rules, chapter 7410, or successor rules, apply.

**Subd. 2. Evidence; identity; date of birth.** (a) Only the following is satisfactory evidence under section 171.06, subdivision 3, paragraph (b), of an applicant's identity and date of birth:

(1) a driver's license or identification card that (i) complies with the requirements of the REAL ID Act, (ii) is not designated as temporary or limited term, and (iii) is current or has been expired for five years or less;

(2) a valid, unexpired United States passport issued by the United States Department of State;

(3) a certified copy of a birth certificate issued by a government bureau of vital statistics or equivalent agency in the applicant's state of birth, which must bear the raised or authorized seal of the issuing government entity;

(4) a consular report of birth abroad, certification of report of birth, or certification of birth abroad, issued by the United States Department of State, Form FS-240, DS-1350, or FS-545;

(5) a valid, unexpired permanent resident card issued by the United States Department of Homeland Security or the former Immigration and Naturalization Service of the United States Department of Justice, Form I-551;

(6) a certificate of naturalization issued by the United States Department of Homeland Security, Form N-550 or Form N-570;

(7) a certificate of citizenship issued by the United States Department of Homeland Security, Form N-560 or Form N-56;

(8) an unexpired employment authorization document issued by the United States Department of Homeland Security, Form I-766 or Form I-688B;

(9) an unexpired passport that is not issued by a state and a valid, unexpired United States visa accompanied by documentation of the applicant's most recent lawful admittance into the United States; or

(10) a document as designated by the United States Department of Homeland Security under Code of Federal Regulations, title 6, part 37.11(c)(1)(x).

(b) A document under paragraph (a) must be legible and unaltered.

(c) A primary or secondary document under Minnesota Rules, part 7410.0400, is not satisfactory evidence unless provided under paragraph (a).

**Subd. 3. Evidence; lawful status.** Only a form of documentation identified under subdivision 2 is satisfactory evidence under section 171.06, subdivision 3, paragraph (b), of an applicant's lawful status.

**Subd. 4. Evidence; Social Security number.** The following is satisfactory evidence under section 171.06, subdivision 3, paragraph (b), of an applicant's Social Security number or related documentation:

(1) a Social Security card;

(2) if a Social Security card is not available:

(i) a federal Form W-2;

(ii) a federal Form SSA-1099 or other federal Form 1099 having the applicant's Social Security number; or

(iii) a computer-printed United States employment pay stub with the applicant's name, address, and Social Security number; or

(3) for an applicant who provides a passport under subdivision 2, paragraph (a), clause (9), documentation demonstrating nonwork authorized status.

Subd. 5. **Evidence; residence in Minnesota.** Two forms of documentation from among the following are satisfactory evidence under section 171.06, subdivision 3, paragraph (b), of an applicant's principal residence address in Minnesota:

(1) a home utility services bill issued no more than 90 days before the application, provided that the commissioner must not accept a United States home utility bill if two unrelated people are listed on the bill;

(2) a home utility services hook-up work order issued no more than 90 days before the application, provided that the commissioner must not accept a home utility services hook-up work order if two unrelated people are listed on the work order;

(3) United States financial information issued no more than 90 days before the application, with account numbers redacted, including:

(i) a bank account statement;

(ii) a canceled check; or

(iii) a credit card statement;

(4) a United States high school identification card with a certified transcript from the school, if issued no more than 180 days before the application;

(5) a Minnesota college or university identification card with a certified transcript from the college or university, if issued no more than 180 days before the application;

(6) an employment pay stub issued no more than 90 days before the application that lists the employer's name, address, and telephone number;

(7) a Minnesota unemployment insurance benefit statement issued no more than 90 days before the application;

(8) an assisted living or nursing home statement issued no more than 90 days before the application;

(9) a life, health, automobile, homeowner's, or renter's insurance policy issued no more than 90 days before the application, provided that the commissioner must not accept a proof of insurance card;

(10) a federal or state income tax return or statement for the most recent tax filing year;

(11) a Minnesota property tax statement for the current year that shows the applicant's principal residential address both on the mailing portion and the portion stating what property is being taxed;

(12) a Minnesota vehicle certificate of title, if issued no more than 12 months before the application;

(13) a filed property deed or title for current residence, if issued no more than 12 months before the application;

(14) a Supplemental Security Income award statement issued no more than 12 months before the application;

(15) mortgage documents for the applicant's principal residence;

(16) a residential lease agreement for the applicant's principal residence issued no more than 12 months before the application;

(17) a valid driver's license, including an instruction permit, issued under this chapter;

(18) a valid Minnesota identification card;

(19) an unexpired Minnesota professional license;

(20) an unexpired Selective Service card; or

(21) military orders that are still in effect at the time of application.

(b) A document under paragraph (a) must include the applicant's name and an address in Minnesota.

Subd. 6. **Exceptions process.** The commissioner must not grant a variance from the requirements of this section under Minnesota Rules, part 7410.0600, for an applicant having a lawful temporary admission period.

Sec. 11. Minnesota Statutes 2014, section 171.07, subdivision 1, is amended to read:

Subdivision 1. **License; contents and design.** (a) Upon the payment of the required fee, the department shall issue to every qualifying applicant a license designating the type or class of vehicles the applicant is authorized to drive as applied for. This license must bear: (1) a distinguishing number assigned to the licensee; (2) the licensee's full name and date of birth; (3) either ~~(4) (i)~~ the licensee's residence address, or ~~(2) (ii)~~ the designated address under section 5B.05; (4) a description of the licensee in a manner as the commissioner deems necessary; ~~and (5) the usual signature of the licensee;~~ and (6) designations and markings as provided in this section. No license is valid unless it bears the usual signature of the licensee. Every license must bear a colored photograph or an electronically produced image of the licensee.

(b) If the United States Postal Service will not deliver mail to the applicant's residence address as listed on the license, then the applicant shall provide verification from the United States Postal Service that mail will not be delivered to the applicant's residence address and that mail will be delivered to a specified alternate mailing address. When an applicant provides an alternate mailing address under this subdivision, the commissioner shall use the alternate mailing address in lieu of the applicant's residence address for all notices and mailings to the applicant.

(c) Every license issued to an applicant under the age of 21 must be of a distinguishing color and plainly marked "Under-21."

~~(d) The department shall use processes in issuing a license that prohibit, as nearly as possible, the ability to alter or reproduce a license, or prohibit the ability to superimpose a photograph or electronically produced image on a license, without ready detection.~~

(e) A license issued to an applicant age 65 or over must be plainly marked "senior" if requested by the applicant.

(e) A license must bear a distinguishing indicator for compliance with requirements of the REAL ID Act, as determined by the commissioner.

(f) A license issued to a person with temporary lawful status must be marked "temporary" on the face and in the machine-readable portion of the license.

(g) A license must display the licensee's full name or no fewer than 39 characters of the name, with any truncation as necessary, beginning with the last character of the middle name and proceeding through the second letter of the middle name, followed by the last character of the first name and proceeding through the second letter of the first name.

Sec. 12. Minnesota Statutes 2014, section 171.07, is amended by adding a subdivision to read:

Subd. 1c. **Design for noncompliant licenses or identification cards.** A noncompliant license or identification card must:

(1) be printed with "Not for Federal Purposes" on the face;

(2) meet the requirements under Code of Federal Regulations, title 6, section 37.71; and

(3) not bear a distinguishing indicator under subdivision 1, paragraph (e), or subdivision 3, paragraph (e).

Sec. 13. Minnesota Statutes 2014, section 171.07, subdivision 3, is amended to read:

Subd. 3. **Identification card; content and design; fee.** (a) Upon payment of the required fee, the department shall issue to every qualifying applicant a Minnesota identification card. The department may not issue a Minnesota identification card to an individual who has a driver's license, other than a limited license. The department may not issue an enhanced identification card to an individual who is under 16 years of age, not a resident of this state, or not a citizen of the United States of America. The card must bear: (1) a distinguishing number assigned to the applicant; (2) a colored photograph or an electronically produced image of the applicant; (3) the applicant's full name and date of birth; (4) either ~~(i)~~ (i) the licensee's residence address, or ~~(ii)~~ (ii) the designated address under section 5B.05; (5) a description of the applicant in the manner as the commissioner deems necessary; ~~and~~ (6) the usual signature of the applicant; and (7) designations and markings as provided in this section.

(b) If the United States Postal Service will not deliver mail to the applicant's residence address as listed on the Minnesota identification card, then the applicant shall provide verification from the United States Postal Service that mail will not be delivered to the applicant's residence address and that mail will be delivered to a specified alternate mailing address. When an applicant provides an alternate mailing address under this subdivision, the commissioner shall use the alternate mailing address in lieu of the applicant's residence address for all notices and mailings to the applicant.

(c) Each identification card issued to an applicant under the age of 21 must be of a distinguishing color and plainly marked "Under-21."

(d) Each Minnesota identification card must be plainly marked "Minnesota identification card - not a driver's license."

(e) A Minnesota identification card must bear a distinguishing indicator for compliance with requirements of the REAL ID Act, as determined by the commissioner.

(f) A Minnesota identification card issued to a person with temporary lawful status must be marked "temporary" on the face and in the machine-readable portion of the card.

(g) A Minnesota identification card must display the cardholder's full name or no fewer than 39 characters of the name, with any truncation as necessary, beginning with the last character of the middle name and proceeding through the second letter of the middle name, followed by the last character of the first name and proceeding through the second letter of the first name.

~~(e)~~ (h) The fee for a Minnesota identification card is 50 cents when issued to a person who is developmentally disabled, as defined in section 252A.02, subdivision 2; a physically disabled person, as defined in section 169.345, subdivision 2; or, a person with mental illness, as described in section 245.462, subdivision 20, paragraph (c).

Sec. 14. Minnesota Statutes 2014, section 171.07, subdivision 4, is amended to read:

Subd. 4. **Identification card expiration.** (a) Except as otherwise provided in this subdivision, the expiration date of Minnesota identification cards ~~of for applicants under the age of 65 shall be~~ is the birthday of the applicant in the fourth year following the date of issuance of the card.

~~(b) A Minnesota identification card issued to~~ For an applicant age 65 or older shall be:

(1) the expiration date is the birthday of the applicant in the eighth year following the date of issuance of the card; or

(2) a noncompliant identification card is valid for the lifetime of the applicant, except that.

~~(c)~~ For the purposes of ~~this~~ paragraph (b), "Minnesota identification card" does not include an enhanced identification card issued to an applicant age 65 or older.

~~(e)~~ (d) The expiration date for an Under-21 identification card is the cardholder's 21st birthday. The commissioner shall issue an identification card to a holder of an Under-21 identification card who applies for the card, pays the required fee, and presents proof of identity and age, unless the commissioner determines that the applicant is not qualified for the identification card.

(e) Notwithstanding paragraphs (a) to (d), the expiration date for an identification card issued to a person with temporary lawful status is the last day of the person's legal stay in the United States, or one year after issuance if the last day of the person's legal stay is not identified.

Sec. 15. Minnesota Statutes 2014, section 171.07, subdivision 9a, is amended to read:

Subd. 9a. **Security for enhanced driver's license and identification card features.** ~~An enhanced~~ (a) A driver's license or ~~enhanced~~ identification card must include reasonable security measures to: prevent forgery, alteration, reproduction, and counterfeiting; facilitate detection of fraud; prohibit the ability to superimpose a photograph or electronically produced image; and ~~to~~ protect against unauthorized disclosure of personal information regarding residents of this state that is contained in the ~~enhanced~~ driver's license or ~~enhanced~~ identification card. The ~~enhanced~~ driver's license must include the best available anticounterfeit laminate technology.

The (b) An enhanced driver's license or enhanced identification card may include radio frequency identification technology that is limited to a randomly assigned number, which must be encrypted if agreed to by the United States Department of Homeland Security and does not include biometric data or any information other than the citizenship status of the license holder or cardholder. The commissioner shall ensure that the radio frequency identification technology is secure from unauthorized data access. An applicant must sign an acknowledgment of understanding of the radio frequency identification technology and its use for the sole purpose of verifying United States citizenship before being issued an enhanced driver's license or an enhanced identification card.

Sec. 16. Minnesota Statutes 2014, section 171.071, subdivision 3, is amended to read:

Subd. 3. **Exception Limitations.** Subdivision 1 applies only to a noncompliant license or identification card. Subdivisions 1 and 2 do not apply to the commissioner's requirements pertaining to a photograph or electronically produced image on an enhanced driver's license or an enhanced identification card.

Sec. 17. Minnesota Statutes 2014, section 171.072, is amended to read:

#### **171.072 TRIBAL IDENTIFICATION CARD.**

(a) If a Minnesota identification card is deemed an acceptable form of identification in Minnesota Statutes or Rules, a tribal identification card is also an acceptable form of identification. In application for a noncompliant license or identification card, a tribal identification card is a primary document for purposes of Minnesota Rules, part 7410.0400, and successor rules.

(b) For purposes of this section, "tribal identification card" means an unexpired identification card issued by a Minnesota tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the legal name, date of birth, signature, and picture of the enrolled tribal member.

(c) The tribal identification card must contain security features that make it as impervious to alteration as is reasonably practicable in its design and quality of material and technology. The security features must use materials that are not readily available to the general public. The tribal identification card must not be susceptible to reproduction by photocopying or simulation and must be highly resistant to data or photograph substitution and other tampering.

(d) The requirements of this section do not apply to: (1) application for a driver's license or Minnesota identification card under this chapter except as provided in paragraph (a); or (2) tribal identification cards used to prove an individual's residence for purposes of section 201.061, subdivision 3.

Sec. 18. Minnesota Statutes 2014, section 171.12, is amended by adding a subdivision to read:

Subd. 1a. **Driver and vehicle services information system; security and auditing.** (a) The commissioner must establish written procedures to ensure that only individuals explicitly authorized by law may enter, update, or access not public data collected, created, or maintained by the driver and vehicle services information system. An authorized individual's ability to enter, update, or access data in the system must be limited through use of role-based access that corresponds to the official duties or training level of the individual and the statutory authorization granting access for that purpose. All queries and responses, and all actions in which data are entered, updated, accessed, shared, or disseminated, must be recorded in a data audit trail. Data contained in the audit trail are public to the extent the data are not otherwise classified by law.

(b) The commissioner must immediately and permanently revoke the authorization of any individual who willfully entered, updated, accessed, shared, or disseminated data in violation of state or federal law. If an individual willfully gained access to data without explicit authorization by law, the commissioner must forward the matter to the county attorney for prosecution.

(c) The commissioner must arrange for an independent biennial audit of the driver and vehicle services information system to determine whether data currently in the system are classified, how the data are used, and to verify compliance with this subdivision. The results of the audit are public. No later than 30 days following completion of the audit, the commissioner must provide a report summarizing the audit results to the commissioner of administration; the chairs and ranking minority members of the committees of the house of representatives and the senate with jurisdiction over transportation policy and finance, public safety, and data practices; and the Legislative Commission on Data Practices and Personal Data Privacy. The report must be submitted as required under Minnesota Statutes, section 3.195, except that printed copies are not required.

**EFFECTIVE DATE.** This section is effective on the date of implementation of the driver's license portion of the Minnesota licensing and registration system. The commissioner shall notify the revisor of statutes regarding the date.

Sec. 19. Minnesota Statutes 2014, section 171.12, is amended by adding a subdivision to read:

**Subd. 3c. Record retention; birth certificates.** (a) If the procedures established by the commissioner for driver's license or Minnesota identification card records include retention of a physical copy or digital image of a birth certificate, the commissioner must:

(1) notify a driver's license or identification card applicant of the retention procedure; and

(2) allow the applicant, licensee, or identification card holder to designate that the applicant, licensee, or identification card holder's birth certificate physical copy or digital image must not be retained.

(b) The commissioner must not retain a birth certificate if directed by an applicant, licensee, or identification card holder under paragraph (a), clause (2), but must record and retain data on the birth certificate required under Code of Federal Regulations, title 6, section 37.31(c).

Sec. 20. Minnesota Statutes 2014, section 171.12, is amended by adding a subdivision to read:

**Subd. 7b. Noncompliant license or identification card.** (a) The commissioner may not, with respect to a noncompliant license or identification card:

(1) electronically disseminate outside the state data that is not disseminated as of the effective date of this act;

(2) utilize any electronic validation or verification system accessible from or maintained outside of the state that is not in use as of the effective date of this act; or

(3) share any data the department maintains under section 171.07, subdivision 13.

(b) The limitations in paragraph (a) do not apply as necessary to maintain compliance with the driver's license compact under section 171.50.

(c) For purposes of this subdivision, "outside the state" includes federal agencies, states other than Minnesota, organizations operating under agreement among the states, and private entities.

Sec. 21. Minnesota Statutes 2014, section 171.27, is amended to read:

**171.27 EXPIRATION OF LICENSE; MILITARY EXCEPTION.**

(a) Except as otherwise provided in this section, the expiration date for each driver's license, other than under 21 licenses, is the birthday of the driver in the fourth year following the date of issuance of the license. The birthday of the driver shall be as indicated on the application for a driver's license. A license may be renewed on or before

expiration or within one year after expiration upon application, payment of the required fee, and passing the examination required of all drivers for renewal. Driving privileges shall be extended or renewed on or preceding the expiration date of an existing driver's license unless the commissioner believes that the licensee is no longer qualified as a driver.

(b) The expiration date for each under-21 license shall be the 21st birthday of the licensee. Upon the licensee attaining the age of 21 and upon the application, payment of the required fee, and passing the examination required of all drivers for renewal, a driver's license shall be issued unless the commissioner determines that the licensee is no longer qualified as a driver.

(c) The expiration date for each provisional license is two years after the date of application for the provisional license.

(d) Notwithstanding paragraphs (a) to (c), the expiration date for a license issued to a person with temporary lawful status is the last day of the person's legal stay in the United States, or one year after issuance if the last day of the person's legal stay is not identified.

~~(d)~~ (e) Any valid Minnesota driver's license issued to a person then or subsequently serving outside Minnesota in active military service, as defined in section 190.05, subdivision 5, in any branch or unit of the armed forces of the United States, or the person's spouse, shall continue in full force and effect without requirement for renewal until the date one year following the service member's separation or discharge from active military service, and until the license holder's birthday in the fourth full year following the person's most recent license renewal or, in the case of a provisional license, until the person's birthday in the third full year following the renewal.

## Sec. 22. **REAL ID ACT IMPLEMENTATION.**

**Subdivision 1. Definition.** For purposes of this section, "REAL ID Act" means the REAL ID Act of 2005, Public Law 109-13, Division B.

**Subd. 2. Full implementation and conformity; deadline.** The commissioner of public safety must implement the provisions of this act in a manner to ensure full compliance and conformity with the requirements of the REAL ID Act, including the ability to issue fully compliant driver's licenses and Minnesota identification cards, no later than October 1, 2016.

**Subd. 3. Mandatory reissuance prohibition.** When implementing the REAL ID Act requirements under this act and Minnesota Statutes, chapter 171, the commissioner of public safety is prohibited from requiring renewal or reissuance of a driver's license or Minnesota identification card earlier than required under the regular issuance time period. Nothing in this subdivision prevents suspension, cancellation, or revocation as provided in Minnesota Statutes, chapter 171.

**Subd. 4. Legislative reporting.** (a) The commissioner of public safety must establish an implementation schedule for meeting the requirements under subdivision 2. The schedule must include monthly implementation activity and milestones. On or before the last business day of each month until full implementation and compliance is achieved, the commissioner must submit a status update that provides details on the implementation schedule, activity and accomplishments since the previous status update, identified risks to implementation, and overall status.

(b) By January 15, 2017, the commissioner of public safety must submit a revision to the report required under Laws 2016, chapter 83, section 2, subdivision 2. At a minimum, the report must provide (1) revised information and analysis for each of the planning activities required for the 2016 report, and (2) implementation status information.

(c) Each implementation status update under paragraph (a) and the report under paragraph (b) must be submitted to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation policy and finance, public safety, civil law, and data practices, and to the Legislative Commission on Data Practices and Personal Data Privacy. The report must be submitted as required under Minnesota Statutes, section 3.195, except that printed copies are not required.

Sec. 23. **APPROPRIATION.**

\$6,270,000 in fiscal year 2016 is appropriated from the driver services operating account in the special revenue fund to the commissioner of public safety for implementation and conformity with requirements of the REAL ID Act of 2005, Public Law 109-13, Division B, as provided under this act. This is a onetime appropriation.

Sec. 24. **REVISOR'S INSTRUCTION.**

The revisor of statutes shall renumber Minnesota Statutes, section 171.06, subdivision 3, paragraphs (d) and (e), as Minnesota Statutes, section 171.06, subdivision 3b, paragraphs (c) and (d). The revisor shall also make any necessary cross-reference changes consistent with the renumbering.

Sec. 25. **REPEALER.**

Laws 2009, chapter 92, section 1, as amended by Laws 2016, chapter 83, section 1, is repealed.

Sec. 26. **EFFECTIVE DATE.**

Except as specifically provided otherwise, this act is effective the day following final enactment. Sections 1 to 21 apply for application and issuance of driver's licenses and Minnesota identification cards on and after October 1, 2016."

Delete the title and insert:

"A bill for an act relating to transportation; authorizing and governing implementation of requirements of the federal REAL ID Act; amending certain requirements governing driver's licenses and Minnesota identification cards; amending certain fees; requiring legislative reporting; requiring rulemaking; appropriating money; amending Minnesota Statutes 2014, sections 171.01, by adding subdivisions; 171.017; 171.04, by adding a subdivision; 171.06, subdivisions 1, 3, by adding a subdivision; 171.07, subdivisions 1, 3, 4, 9a, by adding a subdivision; 171.071, subdivision 3; 171.072; 171.12, by adding subdivisions; 171.27; proposing coding for new law in Minnesota Statutes, chapter 171; repealing Laws 2009, chapter 92, section 1, as amended."

A roll call was requested and properly seconded.

The question was taken on the Smith amendment and the roll was called. There were 74 yeas and 56 nays as follows:

Those who voted in the affirmative were:

Albright	Backer	Daniels	Erickson	Gruenhagen	Howe
Anderson, C.	Baker	Dauids	Fabian	Gunther	Johnson, B.
Anderson, M.	Barrett	Dean, M.	Fenton	Hackbarth	Kelly
Anderson, P.	Bennett	Dettmer	Franson	Heintzeman	Kiel
Anderson, S.	Christensen	Draskowski	Garofalo	Hertaus	Knoblach
Anzelc	Cornish	Ecklund	Green	Hoppe	Koznick

Kresha	Marquart	O'Driscoll	Pugh	Swedzinski	Wills
Lohmer	McDonald	O'Neill	Quam	Theis	Zerwas
Loon	McNamara	Pelowski	Rarick	Torkelson	Spk. Daudt
Loonan	Miller	Peppin	Runbeck	Uglen	
Lucero	Nash	Petersburg	Sanders	Urdahl	
Lueck	Newberger	Peterson	Scott	Vogel	
Mack	Nornes	Pierson	Smith	Whelan	

Those who voted in the negative were:

Applebaum	Fischer	Isaacson	Mahoney	Newton	Slocum
Atkins	Flanagan	Johnson, C.	Mariani	Norton	Thissen
Bernardy	Freiberg	Johnson, S.	Masin	Persell	Wagenius
Bly	Halverson	Kahn	Melin	Pinto	Ward
Carlson	Hamilton	Laine	Metsa	Poppe	Yarusso
Clark	Hansen	Lesch	Moran	Rosenthal	Youakim
Considine	Hausman	Liebling	Mullery	Schoen	
Davnie	Hilstrom	Lien	Murphy, E.	Schultz	
Dehn, R.	Hornstein	Lillie	Murphy, M.	Selcer	
Erhardt	Hortman	Loeffler	Nelson	Simonson	

The motion prevailed and the amendment was adopted.

Hamilton moved to amend S. F. No. 3589, the third engrossment, as amended, as follows:

Page 4, delete line 31 and insert "period expires within"

Page 5, delete section 8

Page 8, delete line 2 and insert "evidence of an applicant's identity and"

Page 8, line 33, delete everything after "evidence"

Page 8, line 34, delete "(b)."

Page 9, line 2, delete everything before "of"

Page 9, line 14, delete everything after "evidence"

Page 9, line 15, delete "paragraph (b)."

Page 18, line 28, delete "21" and insert "20"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

## CALL OF THE HOUSE

On the motion of Thissen and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Albright	Davnie	Hausman	Lillie	Nelson	Schultz
Allen	Dean, M.	Heintzeman	Loeffler	Newberger	Scott
Anderson, C.	Dehn, R.	Hertaus	Lohmer	Newton	Selcer
Anderson, M.	Dettmer	Hilstrom	Loon	Nornes	Simonson
Anderson, P.	Drazkowski	Hoppe	Loonan	Norton	Slocum
Anderson, S.	Ecklund	Hornstein	Lucero	O'Driscoll	Smith
Anzelc	Erhardt	Hortman	Lueck	O'Neill	Swedzinski
Applebaum	Erickson	Howe	Mack	Pelowski	Theis
Atkins	Fabian	Isaacson	Mahoney	Peppin	Thissen
Backer	Fenton	Johnson, B.	Mariani	Persell	Torkelson
Baker	Fischer	Johnson, C.	Marquart	Petersburg	Uglen
Barrett	Flanagan	Johnson, S.	Masin	Peterson	Urdahl
Bennett	Franson	Kahn	McDonald	Pierson	Vogel
Bernardy	Freiberg	Kelly	McNamara	Pinto	Wagenius
Bly	Garofalo	Kiel	Melin	Poppe	Ward
Carlson	Green	Knoblach	Metsa	Pugh	Whelan
Christensen	Gruenhagen	Koznick	Miller	Quam	Wills
Clark	Gunther	Kresha	Moran	Rarick	Yarusso
Considine	Hackbarth	Laine	Mullery	Rosenthal	Youakim
Cornish	Halverson	Lesch	Murphy, E.	Runbeck	Zerwas
Daniels	Hamilton	Liebling	Murphy, M.	Sanders	Spk. Daudt
Davids	Hansen	Lien	Nash	Schoen	

All members answered to the call and it was so ordered.

The question recurred on the Hamilton amendment and the roll was called. There were 55 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Allen	Erhardt	Isaacson	Mariani	Norton	Thissen
Applebaum	Fischer	Johnson, C.	Masin	Persell	Wagenius
Atkins	Flanagan	Johnson, S.	Melin	Pinto	Ward
Bernardy	Freiberg	Kahn	Metsa	Poppe	Yarusso
Bly	Hamilton	Laine	Moran	Rosenthal	Youakim
Carlson	Hansen	Lesch	Mullery	Schoen	
Clark	Hausman	Liebling	Murphy, E.	Schultz	
Considine	Hilstrom	Lillie	Murphy, M.	Selcer	
Davnie	Hornstein	Loeffler	Nelson	Simonson	
Dehn, R.	Hortman	Mahoney	Newton	Slocum	

Those who voted in the negative were:

Albright	Baker	Dean, M.	Franson	Heintzeman	Knoblach
Anderson, C.	Barrett	Dettmer	Garofalo	Hertaus	Koznick
Anderson, M.	Bennett	Drazkowski	Green	Hoppe	Kresha
Anderson, P.	Christensen	Ecklund	Gruenhagen	Howe	Lien
Anderson, S.	Cornish	Erickson	Gunther	Johnson, B.	Lohmer
Anzelc	Daniels	Fabian	Hackbarth	Kelly	Loon
Backer	Davids	Fenton	Halverson	Kiel	Loonan

Lucero	Miller	Pelowski	Quam	Swedzinski	Whelan
Lueck	Nash	Peppin	Rarick	Theis	Wills
Mack	Newberger	Petersburg	Runbeck	Torkelson	Zerwas
Marquart	Normes	Peterson	Sanders	Uglen	Spk. Daudt
McDonald	O'Driscoll	Pierson	Scott	Urdahl	
McNamara	O'Neill	Pugh	Smith	Vogel	

The motion did not prevail and the amendment was not adopted.

#### CALL OF THE HOUSE LIFTED

Thissen moved that the call of the House be lifted. The motion prevailed and it was so ordered.

Smith moved to amend S. F. No. 3589, the third engrossment, as amended, as follows:

Page 16, line 13, after the semicolon, insert "or"

Page 16, line 15, delete "; or" and insert a period

Page 16, delete line 16

Page 16, after line 21, insert:

"Sec. 21. Minnesota Statutes 2014, section 171.12, is amended by adding a subdivision to read:

Subd. 7c. **Firearms safety data.** The commissioner may not share any data the department maintains under section 171.07, subdivision 13."

Page 18, line 28, delete "21" and insert "22"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Smith moved to amend the Smith amendment to S. F. No. 3589, the third engrossment, as amended, as follows:

Page 1, line 9, delete "safety" and before "The" insert "(a)"

Page 1, after line 10, insert:

"(b) The commissioner may not share any data pertaining to the purchase or transfer of firearms, and applications for permits to carry firearms, collected by government entities pursuant to sections 624.712 to 624.719."

A roll call was requested and properly seconded.

Thissen was excused for the remainder of today's session.

The question was taken on the Smith amendment to the Smith amendment and the roll was called. There were 96 yeas and 32 nays as follows:

Those who voted in the affirmative were:

Albright	Daniels	Halverson	Lien	Newberger	Sanders
Anderson, C.	Davids	Hamilton	Lillie	Newton	Schoen
Anderson, M.	Dean, M.	Hansen	Lohmer	Nornes	Scott
Anderson, P.	Dettmer	Heintzeman	Loon	O'Driscoll	Selcer
Anderson, S.	Drazkowski	Hertaus	Loonan	O'Neill	Smith
Anzelc	Ecklund	Hilstrom	Lucero	Pelowski	Swedzinski
Applebaum	Erickson	Hoppe	Lueck	Peppin	Theis
Atkins	Fabian	Howe	Mack	Petersburg	Torkelson
Backer	Fenton	Isaacson	Marquart	Peterson	Uglen
Baker	Fischer	Johnson, B.	Masin	Pierson	Urdahl
Barrett	Franson	Johnson, C.	McDonald	Poppe	Vogel
Bennett	Garofalo	Kelly	McNamara	Pugh	Ward
Carlson	Green	Kiel	Melin	Quam	Whelan
Christensen	Gruenhagen	Knoblach	Metsa	Rarick	Wills
Considine	Gunther	Koznick	Miller	Rosenthal	Zerwas
Cornish	Hackbarth	Kresha	Nash	Runbeck	Spk. Daudt

Those who voted in the negative were:

Allen	Erhardt	Kahn	Moran	Persell	Yarusso
Bernardy	Flanagan	Lesch	Mullery	Pinto	Youakim
Bly	Freiberg	Liebling	Murphy, E.	Schultz	
Clark	Hausman	Loeffler	Murphy, M.	Simonson	
Davnie	Hornstein	Mahoney	Nelson	Slocum	
Dehn, R.	Johnson, S.	Mariani	Norton	Wagenius	

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Smith amendment, as amended, and the roll was called. There were 100 yeas and 27 nays as follows:

Those who voted in the affirmative were:

Albright	Christensen	Franson	Howe	Lohmer	Murphy, M.
Anderson, C.	Considine	Garofalo	Isaacson	Loon	Nash
Anderson, M.	Cornish	Green	Johnson, B.	Loonan	Newberger
Anderson, P.	Daniels	Gruenhagen	Johnson, C.	Lucero	Newton
Anderson, S.	Davids	Gunther	Kelly	Lueck	Nornes
Anzelc	Dean, M.	Hackbarth	Kiel	Mack	O'Driscoll
Applebaum	Dettmer	Halverson	Knoblach	Marquart	O'Neill
Atkins	Drazkowski	Hamilton	Koznick	Masin	Pelowski
Backer	Ecklund	Hansen	Kresha	McDonald	Peppin
Baker	Erickson	Heintzeman	Laine	McNamara	Persell
Barrett	Fabian	Hertaus	Lien	Metsa	Petersburg
Bennett	Fenton	Hilstrom	Lillie	Miller	Peterson
Carlson	Fischer	Hoppe	Loeffler	Murphy, E.	Pierson

Pinto	Rarick	Scott	Theis	Vogel	Zerwas
Poppe	Rosenthal	Selcer	Torkelson	Ward	Spk. Daudt
Pugh	Runbeck	Smith	Uglem	Whelan	
Quam	Sanders	Swedzinski	Urdahl	Wills	

Those who voted in the negative were:

Allen	Dehn, R.	Hornstein	Mariani	Schoen	Yarusso
Bernardy	Erhardt	Johnson, S.	Moran	Schultz	Youakim
Bly	Flanagan	Lesch	Mullery	Simonson	
Clark	Freiberg	Liebling	Nelson	Slocum	
Davnie	Hausman	Mahoney	Norton	Wagenius	

The motion prevailed and the amendment, as amended, was adopted.

The Speaker called Garofalo to the Chair.

S. F. No. 3589, A bill for an act relating to transportation; authorizing and governing implementation of requirements of the federal REAL ID Act; amending certain requirements governing driver's licenses and Minnesota identification cards; requiring rulemaking to implement a two-tier license system; amending Minnesota Statutes 2014, sections 97A.405, subdivision 2; 171.01, subdivision 37, by adding a subdivision; 171.017; 171.06, subdivision 3; 171.07, subdivisions 1, 4, 6, 7, 15, by adding subdivisions; 171.071, subdivision 3; 171.072; 171.12, subdivision 7; 171.27; proposing coding for new law in Minnesota Statutes, chapter 171; repealing Laws 2009, chapter 92, section 1, as amended.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 87 yeas and 42 nays as follows:

Those who voted in the affirmative were:

Albright	Dean, M.	Heintzeman	Loon	O'Neill	Swedzinski
Anderson, C.	Dettmer	Hertaus	Loonan	Pelowski	Theis
Anderson, M.	Ecklund	Hoppe	Lueck	Peppin	Torkelson
Anderson, P.	Erhardt	Hortman	Mack	Persell	Uglem
Anderson, S.	Erickson	Howe	Marquart	Petersburg	Urdahl
Anzelc	Fabian	Isaacson	Masin	Peterson	Vogel
Applebaum	Fenton	Johnson, B.	McDonald	Pierson	Ward
Backer	Fischer	Kelly	McNamara	Quam	Whelan
Baker	Franson	Kiel	Miller	Rarick	Wills
Barrett	Garofalo	Knoblach	Nash	Rosenthal	Yarusso
Bennett	Green	Koznick	Newberger	Runbeck	Zerwas
Christensen	Gruenhagen	Kresha	Newton	Sanders	Spk. Daudt
Cornish	Gunther	Lien	Nornes	Scott	
Daniels	Hackbarth	Lillie	Norton	Selcer	
Davids	Halverson	Lohmer	O'Driscoll	Smith	

Those who voted in the negative were:

Allen	Davnie	Hausman	Lesch	Metsa	Poppe
Atkins	Dehn, R.	Hilstrom	Liebling	Moran	Schoen
Bernardy	Drazkowski	Hornstein	Loeffler	Mullery	Schultz
Bly	Flanagan	Johnson, C.	Lucero	Murphy, E.	Simonson
Carlson	Freiberg	Johnson, S.	Mahoney	Murphy, M.	Slocum
Clark	Hamilton	Kahn	Mariani	Nelson	Wagenius
Considine	Hansen	Laine	Melin	Pinto	Youakim

The bill was passed, as amended, and its title agreed to.

S. F. No. 2733, A bill for an act relating to labor and industry; occupational safety and health; modifying the AWAIR program; amending Minnesota Statutes 2014, section 182.653, subdivision 9.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Albright	Dean, M.	Heintzeman	Loeffler	Newberger	Scott
Allen	Dehn, R.	Hertaus	Lohmer	Newton	Selcer
Anderson, C.	Dettmer	Hilstrom	Loon	Nornes	Simonson
Anderson, M.	Drazkowski	Hoppe	Loonan	Norton	Slocum
Anderson, P.	Ecklund	Hornstein	Lucero	O'Driscoll	Smith
Anderson, S.	Erhardt	Hortman	Lueck	O'Neill	Swedzinski
Anzalc	Erickson	Howe	Mack	Pelowski	Theis
Applebaum	Fabian	Isaacson	Mahoney	Peppin	Torkelson
Atkins	Fenton	Johnson, B.	Mariani	Persell	Ugelm
Backer	Fischer	Johnson, C.	Marquart	Petersburg	Urdahl
Baker	Flanagan	Johnson, S.	Masin	Peterson	Vogel
Barrett	Franson	Kahn	McDonald	Pierson	Wagenius
Bennett	Freiberg	Kelly	McNamara	Pinto	Ward
Bernardy	Garofalo	Kiel	Melin	Poppe	Whelan
Bly	Green	Knoblach	Metsa	Pugh	Wills
Carlson	Gruenhagen	Koznick	Miller	Quam	Yarusso
Christensen	Gunther	Kresha	Moran	Rarick	Youakim
Clark	Hackbarth	Laine	Mullery	Rosenthal	Zerwas
Considine	Halverson	Lesch	Murphy, E.	Runbeck	Spk. Daudt
Daniels	Hamilton	Liebling	Murphy, M.	Sanders	
Davids	Hansen	Lien	Nash	Schoen	
Davnie	Hausman	Lillie	Nelson	Schultz	

The bill was passed and its title agreed to.

S. F. No. 2709, A bill for an act relating to workforce development; modifying workforce development areas; amending Minnesota Statutes 2014, section 116L.666.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Albright	Davnie	Heintzeman	Loeffler	Newberger	Scott
Allen	Dean, M.	Hertaus	Lohmer	Newton	Selcer
Anderson, C.	Dehn, R.	Hilstrom	Loon	Nornes	Simonson
Anderson, M.	Dettmer	Hoppe	Loonan	Norton	Slocum
Anderson, P.	Drazkowski	Hornstein	Lucero	O'Driscoll	Smith
Anderson, S.	Ecklund	Hortman	Lueck	O'Neill	Swedzinski
Anzelc	Erickson	Howe	Mack	Pelowski	Theis
Applebaum	Fabian	Isaacson	Mahoney	Peppin	Torkelson
Atkins	Fenton	Johnson, B.	Mariani	Persell	Uglem
Backer	Fischer	Johnson, C.	Marquart	Petersburg	Urdahl
Baker	Flanagan	Johnson, S.	Masin	Peterson	Vogel
Barrett	Franson	Kahn	McDonald	Pierson	Wagenius
Bennett	Freiberg	Kelly	McNamara	Pinto	Ward
Bernardy	Garofalo	Kiel	Melin	Poppe	Whelan
Bly	Green	Knoblach	Metsa	Pugh	Wills
Carlson	Gruenhagen	Koznick	Miller	Quam	Yarusso
Christensen	Gunther	Kresha	Moran	Rarick	Youakim
Clark	Hackbarth	Laine	Mullery	Rosenthal	Zerwas
Considine	Halverson	Lesch	Murphy, E.	Runbeck	Spk. Daudt
Cornish	Hamilton	Liebling	Murphy, M.	Sanders	
Daniels	Hansen	Lien	Nash	Schoen	
Davids	Hausman	Lillie	Nelson	Schultz	

The bill was passed and its title agreed to.

S. F. No. 1372, A bill for an act relating to state government; changing provisions for professional and technical service contracts for the legislature and the Legislative Coordinating Commission; changing the term of the chair of the Legislative Coordinating Commission between the senate and the house of representatives and other provisions; certain reports to the Legislative Coordinating Commission must be submitted electronically; changing provisions for ethnic councils; amending Minnesota Statutes 2014, sections 3.225, subdivisions 2, 3, 5; 3.303, subdivisions 3, 10; Minnesota Statutes 2015 Supplement, section 15.0145, subdivisions 4, 5, 8.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Albright	Backer	Considine	Erhardt	Green	Hertaus
Allen	Baker	Cornish	Erickson	Gruenhagen	Hilstrom
Anderson, C.	Barrett	Daniels	Fabian	Gunther	Hoppe
Anderson, M.	Bennett	Davids	Fenton	Hackbarth	Hornstein
Anderson, P.	Bernardy	Davnie	Fischer	Halverson	Hortman
Anderson, S.	Bly	Dean, M.	Flanagan	Hamilton	Howe
Anzelc	Carlson	Dehn, R.	Franson	Hansen	Isaacson
Applebaum	Christensen	Dettmer	Freiberg	Hausman	Johnson, B.
Atkins	Clark	Ecklund	Garofalo	Heintzeman	Johnson, C.

Johnson, S.	Lohmer	Metsa	O'Neill	Sanders	Vogel
Kahn	Loon	Miller	Pelowski	Schoen	Wagenius
Kelly	Loonan	Moran	Peppin	Schultz	Ward
Kiel	Lucero	Mullery	Persell	Scott	Whelan
Knoblach	Lueck	Murphy, E.	Petersburg	Selcer	Wills
Koznick	Mack	Murphy, M.	Peterson	Simonson	Yarusso
Kresha	Mahoney	Nash	Pierson	Slocum	Youakim
Laine	Mariani	Nelson	Pinto	Smith	Zerwas
Lesch	Marquart	Newberger	Poppe	Swedzinski	Spk. Daudt
Liebling	Masin	Newton	Pugh	Theis	
Lien	McDonald	Nornes	Rarick	Torkelson	
Lillie	McNamara	Norton	Rosenthal	Uglen	
Loeffler	Melin	O'Driscoll	Runbeck	Urdahl	

Those who voted in the negative were:

Drazkowski      Quam

The bill was passed and its title agreed to.

S. F. No. 1075, A bill for an act relating to game and fish; requiring online applications for hunting and fishing licenses to provide for organ donation; requiring a report; amending Minnesota Statutes 2014, section 13.7931, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 97A.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Albright	Davnie	Hausman	Lillie	Nelson	Schultz
Allen	Dean, M.	Heintzeman	Loeffler	Newberger	Scott
Anderson, C.	Dehn, R.	Hertaus	Lohmer	Newton	Selcer
Anderson, M.	Dettmer	Hilstrom	Loon	Nornes	Simonson
Anderson, P.	Drazkowski	Hoppe	Loonan	Norton	Slocum
Anderson, S.	Ecklund	Hornstein	Lucero	O'Driscoll	Smith
Anzelc	Erhardt	Hortman	Lueck	O'Neill	Swedzinski
Applebaum	Erickson	Howe	Mack	Pelowski	Theis
Atkins	Fabian	Isaacson	Mahoney	Peppin	Torkelson
Backer	Fenton	Johnson, B.	Mariani	Persell	Uglen
Baker	Fischer	Johnson, C.	Marquart	Petersburg	Urdahl
Barrett	Flanagan	Johnson, S.	Masin	Peterson	Vogel
Bennett	Franson	Kahn	McDonald	Pierson	Wagenius
Bernardy	Freiberg	Kelly	McNamara	Pinto	Ward
Bly	Garofalo	Kiel	Melin	Poppe	Whelan
Carlson	Green	Knoblach	Metsa	Pugh	Wills
Christensen	Gruenhagen	Koznick	Miller	Quam	Yarusso
Clark	Gunther	Kresha	Moran	Rarick	Youakim
Considine	Hackbarth	Laine	Mullery	Rosenthal	Zerwas
Cornish	Halverson	Lesch	Murphy, E.	Runbeck	Spk. Daudt
Daniels	Hamilton	Liebling	Murphy, M.	Sanders	
Davids	Hansen	Lien	Nash	Schoen	

The bill was passed and its title agreed to.

S. F. No. 1898, A bill for an act relating to contracts; regulating building and construction contracts; providing for certain progress payments and retainages; amending Minnesota Statutes 2014, section 337.10, subdivisions 3, 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Albright	Davnie	Hausman	Lillie	Nelson	Schultz
Allen	Dean, M.	Heintzeman	Loeffler	Newberger	Scott
Anderson, C.	Dehn, R.	Hertaus	Lohmer	Newton	Selcer
Anderson, M.	Dettmer	Hilstrom	Loon	Nornes	Simonson
Anderson, P.	Drazkowski	Hoppe	Loonan	Norton	Slocum
Anderson, S.	Ecklund	Hornstein	Lucero	O'Driscoll	Smith
Anzelc	Erhardt	Hortman	Lueck	O'Neill	Swedzinski
Applebaum	Erickson	Howe	Mack	Pelowski	Theis
Atkins	Fabian	Isaacson	Mahoney	Peppin	Torkelson
Backer	Fenton	Johnson, B.	Mariani	Persell	Uglen
Baker	Fischer	Johnson, C.	Marquart	Petersburg	Urdahl
Barrett	Flanagan	Johnson, S.	Masin	Peterson	Vogel
Bennett	Franson	Kahn	McDonald	Pierson	Wagenius
Bernardy	Freiberg	Kelly	McNamara	Pinto	Ward
Bly	Garofalo	Kiel	Melin	Poppe	Whelan
Carlson	Green	Knoblach	Metsa	Pugh	Wills
Christensen	Gruenhagen	Koznick	Miller	Quam	Yarusso
Clark	Gunther	Kresha	Moran	Rarick	Youakim
Considine	Hackbarth	Laine	Mullery	Rosenthal	Zerwas
Cornish	Halverson	Lesch	Murphy, E.	Runbeck	Spk. Daudt
Daniels	Hamilton	Liebling	Murphy, M.	Sanders	
Davids	Hansen	Lien	Nash	Schoen	

The bill was passed and its title agreed to.

S. F. No. 3175, A bill for an act relating to commerce; regulating bullion product dealers; amending Minnesota Statutes 2014, sections 80G.01; 80G.02; 80G.03; 80G.04; 80G.05; 80G.06; 80G.07, subdivision 1; 80G.08; 80G.10; repealing Minnesota Statutes 2014, section 80G.07, subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 68 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Albright	Backer	Cornish	Erickson	Green	Heintzeman
Anderson, C.	Baker	Daniels	Fabian	Gruenhagen	Hertaus
Anderson, M.	Barrett	Davids	Fenton	Gunther	Hilstrom
Anderson, P.	Bennett	Dettmer	Franson	Hackbarth	Hoppe
Atkins	Christensen	Drazkowski	Garofalo	Hamilton	Howe

Johnson, B.	Lucero	Newberger	Pierson	Swedzinski	Wills
Kelly	Lueck	Nornes	Quam	Theis	Zerwas
Kiel	Mack	O'Driscoll	Rarick	Torkelson	Spk. Daudt
Knoblach	McDonald	O'Neill	Runbeck	Uglen	
Koznick	McNamara	Peppin	Sanders	Urdahl	
Kresha	Miller	Petersburg	Scott	Vogel	
Loonan	Nash	Peterson	Smith	Whelan	

Those who voted in the negative were:

Allen	Dehn, R.	Hortman	Loeffler	Murphy, E.	Rosenthal
Anderson, S.	Ecklund	Isaacson	Loon	Murphy, M.	Schoen
Anzelc	Erhardt	Johnson, C.	Mahoney	Nelson	Schultz
Applebaum	Fischer	Johnson, S.	Mariani	Newton	Selcer
Bernardy	Flanagan	Kahn	Marquart	Norton	Simonson
Bly	Freiberg	Laine	Masin	Pelowski	Slocum
Carlson	Halverson	Lesch	Melin	Persell	Wagenius
Clark	Hansen	Liebling	Metsa	Pinto	Ward
Considine	Hausman	Lien	Moran	Poppe	Yarusso
Davnie	Hornstein	Lillie	Mullery	Pugh	Youakim

The bill was passed and its title agreed to.

#### REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Peppin from the Committee on Rules and Legislative Administration, pursuant to rules 1.21 and 3.33, designated the following bills to be placed on the Calendar for the Day for Thursday, May 19, 2016 and established a prefilng requirement for amendments offered to the following bills:

H. F. Nos. 1495, 2602 and 3726; and S. F. Nos. 2603, 2649, 2759, 2764 and 2815.

The following Conference Committee Report was received:

#### CONFERENCE COMMITTEE REPORT ON H. F. No. 2777

A bill for an act relating to public safety; health; courts; authorizing ex parte hearings to determine when an emergency medical service person has a significant exposure to a source individual's bodily fluids; authorizing peace officers to take a noncompliant source individual into temporary custody to collect a blood sample; amending Minnesota Statutes 2014, section 144.7407, subdivision 2.

May 16, 2016

The Honorable Kurt L. Daudt  
Speaker of the House of Representatives

The Honorable Sandra L. Pappas  
President of the Senate

We, the undersigned conferees for H. F. No. 2777 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment.

We request the adoption of this report and repassage of the bill.

House Conferees: DEBRA HILSTROM, JIM NEWBERGER and BRIAN JOHNSON.

Senate Conferees: JOHN A. HOFFMAN and JIM ABELER.

Hilstrom moved that the report of the Conference Committee on H. F. No. 2777 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2777, A bill for an act relating to public safety; health; courts; authorizing ex parte hearings to determine when an emergency medical service person has a significant exposure to a source individual's bodily fluids; authorizing peace officers to take a noncompliant source individual into temporary custody to collect a blood sample; amending Minnesota Statutes 2014, section 144.7407, subdivision 2.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Albright	Davnie	Hausman	Lillie	Nelson	Schultz
Allen	Dean, M.	Heintzeman	Loeffler	Newberger	Scott
Anderson, C.	Dehn, R.	Hertaus	Lohmer	Newton	Selcer
Anderson, M.	Dettmer	Hilstrom	Loon	Nornes	Simonson
Anderson, P.	Drazkowski	Hoppe	Loonan	Norton	Slocum
Anderson, S.	Ecklund	Hornstein	Lucero	O'Driscoll	Smith
Anzelc	Erhardt	Hortman	Lueck	O'Neill	Swedzinski
Applebaum	Erickson	Howe	Mack	Pelowski	Theis
Atkins	Fabian	Isaacson	Mahoney	Peppin	Torkelson
Backer	Fenton	Johnson, B.	Mariani	Persell	Uglen
Baker	Fischer	Johnson, C.	Marquart	Petersburg	Urdahl
Barrett	Flanagan	Johnson, S.	Masin	Peterson	Vogel
Bennett	Franson	Kahn	McDonald	Pierson	Wagenius
Bernardy	Freiberg	Kelly	McNamara	Pinto	Ward
Bly	Garofalo	Kiel	Melin	Poppe	Whelan
Carlson	Green	Knoblach	Metsa	Pugh	Wills
Christensen	Gruenhagen	Koznick	Miller	Quam	Yarusso
Clark	Gunther	Kresha	Moran	Rarick	Youakim
Considine	Hackbarth	Laine	Mullery	Rosenthal	Zerwas
Cornish	Halverson	Lesch	Murphy, E.	Runbeck	Spk. Daudt
Daniels	Hamilton	Liebling	Murphy, M.	Sanders	
Davids	Hansen	Lien	Nash	Schoen	

The bill was repassed, as amended by Conference, and its title agreed to.

**MOTIONS AND RESOLUTIONS**

Fischer moved that the name of Flanagan be added as an author on H. F. No. 1620. The motion prevailed.

Barrett moved that the name of Pugh be added as an author on H. F. No. 4011. The motion prevailed.

Persell moved that the names of Erhardt and Clark be added as authors on H. F. No. 4012. The motion prevailed.

**ADJOURNMENT**

McNamara moved that when the House adjourns today it adjourn until 9:00 a.m., Wednesday, May 18, 2016. The motion prevailed.

McNamara moved that the House adjourn. The motion prevailed, and Speaker pro tempore Garofalo declared the House stands adjourned until 9:00 a.m., Wednesday, May 18, 2016.

PATRICK D. MURPHY, Chief Clerk, House of Representatives

